

# City of Kelowna

## Regular Council Meeting

### AGENDA



Tuesday, September 6, 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 Gray.
3. **Confirmation of Minutes** 1 - 13  
Public Hearing - August 23, 2016  
Regular Meeting - August 23, 2016
4. **Bylaws Considered at Public Hearing**
  - 4.1 **2486 Highway 97N, BL11268 (Z16-0001) - Kelowna Hwy 97/33 Holdings Ltd.** 14 - 14  
To give Bylaw No. 11268 second and third reading in order to rezone the subject property to alter the potential tenant mix for the retail component.
  - 4.2 **361 Yates Road, BL11271 (Z16-0031) - Cheryl Homes Medical Services Ltd.** 15 - 15  
To give Bylaw No. 11271 second and third reading in order to rezone the subject property to legalize an existing carriage house that was constructed without permits.
  - 4.3 **4491 Stewart Road West, BL11270 (Z16-0034) - Delauralyn Pihl** 16 - 16  
To give Bylaw No. 11270 second and third reading in order to rezone the subject property to allow for a secondary suite in an existing horse barn.
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**

### **6.1 274 Lawrence Avenue, LL16-0005 - 0729076 BC Ltd. 17 - 30**

**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 staff recommendation NOT to support a structural change application to the Liquor Control and Licensing Branch to increase the licensed capacity to an existing Liquor Primary liquor license.

## **7. Development Permit and Development Variance Permit Reports**

### **7.1 5080 Lakeshore Road, BL11255 (Z16-0009) - James Sharko & Maureen Atrens-Sharko 31 - 31**

To adopt Bylaw No. 11255 in order to discharge the Land Use Contract and rezone the subject property to facilitate a carriage house.

### **7.2 5080 Lakeshore Road, DP16-0046 & DVP16-0047 - James Sharko 32 - 55**

**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 form and character Development Permit for a Carriage house and to consider three variances to the carriage house and one variance to the proposed beach pavilion.

### **7.3 2296 Dewdney Road, DVP16-0147 - David & Joan Richter 56 - 74**

**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 height and front yard setback for an a accessory building, and to vary the maximum driveway width on the subject property to facilitate the development of a carport.

## **8. Reminders**

## **9. Termination**



## City of Kelowna

### Public Hearing

### Minutes

Date: Tuesday, August 23, 2016  
 Location: Council Chamber  
 City Hall, 1435 Water Street

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

Staff Present: Acting City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Corporate & Protective Services, Rob Mayne\*; Community Planning Department Manager, Ryan Smith; Suburban & Rural Planning Manager, Todd Cashin; Planner Specialist, Melanie Stepphun\*; Bylaw Services Manager, Greg Wise\*; and Council Recording Secretary, Arlene McClelland

(\* Denotes partial attendance)

#### 1. Call to Order

Mayor Basran called the Hearing to order at 6:01 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 at City Hall on August 9, 2016 and by being placed in the Kelowna Capital News issues on Friday, August 12 and Wednesday, August 17, 2016 and by sending out or otherwise delivering 97 statutory notices to the owners and occupiers of surrounding properties between August 9 and August 12, 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 Agri-tourist Accommodation (A1t), BL11265 (TA16-0006) - City of Kelowna

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:

Letter of Opposition or Concerns:

Susi Foerg, High Rd  
Michelle Hyde, MM Corp, Union Road

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

Gallery

Ken Smith, Rojem Road

- Customer of Agritourism sites.
- Commented that there is a lack of sufficient sites in the area and provided statistics on the number RV sites there are in BC.
- Believes there is a real need for compliant RV Sites.
- Believes there is a boost to the local economy having more RV sites.
- Encouraged Council to permit agri-tourist sites.
- Responded to questions from Council.

Adjourned for a break due to technical difficulties at 6:49 p.m.  
Reconvened at 7:02 p.m.

Mayor Basran stated that the sound system isn't working and asked presenters to speak loudly and clearly.

Carly Drought, Robson Road W

- Speaking on behalf of other farmers who have a language barrier or who are picking their crops.
- Distributed speaking notes including petition of opposition from farmers and concerned citizens.
- Opposed to the Text Amendment.
- Responded to questions from Council.

Eva Linttell, KLO Road

- Believes agri-tourist sites are needed in Kelowna; too extreme to prohibit RV's on ALR land.
- Believes agri-tourism is an appropriate additional income source for farmers.
- Opposed to this text amendment.

Fred Steele, President BC Fruit Growers Association, Glenmore Road

- Believes a text amendment is not the answer to the issues; there is a compliance issue, not an agri-tourism issue.
- Believes there needs to be better enforcement to ensure compliance.
- Believes the essence of agri-tourism not only requires a farmer but also urban dwellers in order to understand what farming is all about.
- Recommended a six month moratorium to create an Agri-tourism association.
- Responded to questions from Council.

Nancy Cameron, Tourism Kelowna, Richter Street

- Tourism Kelowna is opposed to this Text Amendment.
- Commented on the importance of agri-tourism and that RV sites are in high demand and are an important segment to tourism.
- Advised that they regularly turn away tourists who want to stay in their RV in Kelowna.



- Advised that tourists are generally looking for a smaller capacity RV experience located on agricultural land, however, a large RV Park would be suitable as well.
- Responded to questions from Council.

#### Colleen Linttell, Gallagher's Green

- Grandmother of Tyler Linttell who was approved last June for the A1t zone.
- Opposed to the Text Amendment.
- Believes there is a need for additional RV sites; their RV site has bookings into 2017.
- Believes there are various disconnects between City policies.
- Recommended the City enforce against non-compliant sites and not penalize all sites.
- Responded to questions from Council.

#### Tom Dyas, President, Kelowna Chamber of Commerce

- Advised that the Chamber of Commerce is opposed to the Text Amendment.
- Believes agri-tourism is important for the sustainability of farming in this community.
- Believes all stakeholders should be engaged prior to any further consideration of the bylaw.
- Believes alternative measures should be investigated and to consult with key stakeholders and those that are operating in compliance and for those who have approached the City for the A1t zone.
- Recommended increase in business licensing requirements.
- Suggested examining why enforcement has been unsuccessful.
- Responded to questions from Council.

Adjourned for a break at 7:45 p.m.

Reconvened at 7:55 p.m.

During the break a speaker system was set up to enable members of the public to speak into a microphone.

#### Suzi Foerg, High Road

- Referenced the correspondence she had submitted prior to the Public Hearing.
- Spoke to the business plan identified in her written submission and raised concern with the impact the text amendment would have on her business plan.
- Responded to questions from Council.

#### Robert Hanington, Rojem Road

- Lives adjacent to two agri-tourist sites.
- Commented that the neighbour to the west is in compliance however the neighbour to the east is not in compliance.
- Spoke to his frustration and the way in which the experience is resulting in a negative impact on his quality of life.
- Made reference to his recent chaining of himself inside of City Hall.
- Commented that one site is more of a low cost housing complex than an agri-tourism operation with 15 units housing excessive people and pets; the other site is in compliance and an example of how such an operation should work.
- In support of the text amendment.
- Responded to questions from Council.

#### Sujit Bal, McCurdy Road East

- Spoke to the process and regulatory environment before and after 2010 when the A1t zone was introduced.
- Commented that sites prior to 2010 required a proactive enforcement policy not just complaint based.
- Commented that there have only been two approvals for the A1t zone and that it should be given a chance to prove itself.
- Believes the agricultural community should be involved in determining regulations.
- Suggested the City form an agri-tourism committee.

- Opposed to the text amendment.
- Responded to questions from Council.

#### Chanchal Bal, Highway 33 East

- Referenced the current A1t bylaw and believes it is a good bylaw that deserves a chance.
- Advised that he had hired a draftsman to work on applying for A1t rezoning and directed him to discuss with City staff in June and not once was it mentioned of the changes to the bylaw.
- Believes that nonfarm use is appropriate within reason.
- Believes this text amendment is a competitive disadvantage to those who already have one.
- Commented that there was no research done with the stakeholders.
- Opposed to this text amendment.

#### Richard George Day, McKenzie Road

- Opposed to the text amendment.
- Opposed to excessive bureaucracy at both Provincial and Municipal levels.
- Believes Council should have meaningful dialogue on revamping the ALR; farmers do not need ALR to farm our land.
- Believes Council should be trying to save small and medium farmers.
- Commented that he will be non-compliant with the RV on his property and will resist any attempt by the City at achieving compliance.
- Responded to questions from Council.

#### Lesley Reid, Canyon Farms RV Park, Field Road

- Operates an RV Park on farmland for the past six years and compliant with pre 2010 regulations.
- Advised that Bylaw Enforcement visited her property twice a month while setting up her business.
- Believes that consistent follow up with bylaw enforcement will ensure compliance.
- Commented that all neighbours are very supportive.
- Opposed to the text amendment.
- Responded to questions from Council.

#### Bob Snyder, Morrison Road, Acres RV Park

- Spoke to his previous comments to Council in 2009/2010.
- Believes Kelowna is lacking RV sites and stated that he receives requests for accommodation year round as Kelowna is a four season destination.
- Believes that it should be allowed to rent RV pads to those who are unable to afford accommodation elsewhere.
- Confirmed that his RV Park is non-compliant and is currently in the Courts with the City.
- Agreed that he has been non-compliant since his business opened; has year round accommodation for people who live there.
- Responded to questions from Council.

#### Staff:

- Confirmed proactive enforcement activity takes place and not just complaint driven.
- Provided a summary of enforcement processes, timelines and impacts on staff resourcing.
- Provided a summary of the ways in which a property owner could apply for Agri-tourism use should the text amendment be adopted.

There were no further comments.

### **3.2 Upper Mission Drive (E of), BL11266 (OCP16-0011) & BL11267 (Z16-0041) - Calcan Joint Venture**

#### 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 and available for questions.

No one from the gallery came forward.

There were no further comments.

**4. Termination**

The Hearing was declared terminated at 9:27 p.m.

\_\_\_\_\_  
Mayor

/acm

\_\_\_\_\_  
City Clerk

DRAFT



## City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, August 23, 2016  
Location: Council Chamber  
City Hall, 1435 Water Street

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

Staff Present: Acting City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Corporate & Protective Services, Rob Mayne\*; Community Planning Department Manager, Ryan Smith; Suburban & Rural Planning Manager, Todd Cashin; Planner Specialist, Melanie Stepphun\*; Bylaw Services Manager, Greg Wise\*; and Council Recording Secretary, Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 9:35 p.m.

### 2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Given.

### 3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor DeHart

R624/16/08/23 THAT the Minutes of the Public Hearing and Regular Meeting of August 9, 2016 be confirmed as circulated.

Carried

### 4. Bylaws Considered at Public Hearing

4.1 BL11265 (TA16-0006) - Amendments to the A1t - Agriculture 1 with Agri-

Moved By Councillor Hodge/Seconded By Councillor Donn

R625/16/08/23 THAT Bylaw No. 11265 be read a second and third time.

Carried  
Councillors Hodge and Singh - Opposed



**4.2 Upper Mission Drive (E of), BL11266 (OCP16-0011) - Calcan Investments Inc.**

Moved By Councillor Gray/Seconded By Councillor Hodge

R626/16/08/23 THAT Bylaw No. 11266 be read a second and third time.

Carried

**4.3 Upper Mission Drive (E of), BL11267 (Z16-0041) - Calcan Investments Ltd.**

Moved By Councillor Gray/Seconded By Councillor Given

R627/16/08/23 THAT Bylaw No. 11267 be read a second and third time.

Carried

**5. Notification of Meeting**

The City Clerk advised that Notice of Council's consideration of these Development Variance Permit Applications was given by sending out or otherwise delivering 146 statutory notices to the owners and occupiers of surrounding properties between August 9 and August 12.

Notice of Council's consideration of these Temporary Use Permit Applications was given by sending out or otherwise delivering 8 statutory notices to the owners and occupiers of surrounding properties between August 9 and August 12.

Notice of these (amendments to Liquor Primary Licences) were advertised by being posted on the Notice Board at City Hall on August 9, and by being placed in the Kelowna Capital News issues on Friday, August 12 and Wednesday, August 17, 2016 and by sending out or otherwise delivering 44 statutory notices to the owners and occupiers of surrounding properties between August 9 and 12.

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. Liquor License Application Reports**

**6.1 1470-1476 Water Street, LL16-0002 - 1324632 Alberta Ltd.**

Councillor Dehart declared a conflict of interest due to her employment is in the same industry and departed the meeting at 10:15 p.m.

Staff:

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

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

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

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Gray

**R628/16/08/23** 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:

Council recommends support of an application from Rising Tide Consultants for a license amendment for Lot A, DL 139, ODYD, Plan EPP43122 located at 1470-1476 Water Street, Kelowna, BC for the following reasons:

a) The location of the establishment

The location is in a commercial area that is removed from nearby residences and is suitable for a late night entertainment venue where some street noise at closing time can be anticipated.

(b) The proximity of the establishment 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 late night entertainment venue.

(c) The person capacity and hours of liquor service of the establishment

The maximum person capacity is not being amended as part of this application. The later hours of service, from 23:00 to 02:00 are appropriate.

(d) The number and market focus or clientele of liquor-primary licence establishments within a reasonable distance of the proposed location

The existing establishments are large pub style establishments that focus on entertainment or are nightclubs that attract patrons 19 to 25 years of age. The proposed establishment is a local pub style facility with an extensive menu and is designed to appeal primarily to guests at the hotel and their visitors.

(e) The impact of noise on the community in the immediate vicinity of the establishment, and

The site is far removed from any residential areas. There are no noise impacts expected as a consequence of extending hours.

(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 successful operations of a major downtown hotel and continue to draw business and activity to the city's downtown core.

Council's comments on the views of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures."

Carried

Councillor DeHart rejoined the meeting at 10:21 p.m.

**7. Development Permit and Development Variance Permit Reports**



**7.1 845 Kinnear Court, BL11242 (Z15-0050) - Carol Kerga**

Moved By Councillor Singh/Seconded By Councillor DeHart

R629/16/08/23 THAT Bylaw No. 11242 be adopted.

Carried

**7.2 845 Kinnear Court, DP16-0154 & DVP15-0232 - Carol Kergan**

Staff:

- Displayed a PowerPoint presentation summarizing the application.

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

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

Applicant was not present.

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Donn

R630/16/08/23 THAT final adoption of Rezoning Bylaw No. 11242 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP16-0154 for Lot 6 District Lot 135 ODYD Plan 25798, located at 845 Kinnear Court, Kelowna, BC subject to the following:

The dimension and siting of the building to be constructed on the land be in accordance with Schedule "A";

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. DVP15-0232 for Lot 6 District Lot 135 ODYD Plan 25798, located at 845 Kinnear Court, Kelowna, BC;

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

**Section 9.5b.14: Carriage House Regulations**

To vary the required minimum side yard setback from 2.0 m required to 1.17 m proposed.

AND THAT Council's consideration of this Development Permit & Development Variance 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 October 15, 2015;

AND 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;

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

### 7.3 785 Packinghouse Road, TUP16-0002 - Frank & Helen Klimes

Staff:

- Displayed a PowerPoint presentation summarizing the application.

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

#### Letter of Support

Bert and Judi Chapman, Curtis Road

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

#### Birte Decloux Urban Options Planning & Permits

- Displayed a PowerPoint presentation summarizing the application.
- Advised that the elderly family member been a resident for 30 years and is not a revenue property.
- Advised that the suite will be decommissioned when no longer needed by this family member.

No one from the gallery came forward.

There were no further comments.

#### Moved By Councillor Hodge/Seconded By Councillor Given

**R631/16/08/23** THAT Council authorizes the issuance of Temporary Use Permit No. TUP16-0002 to allow for a suite in an accessory building for Lot 27, Block 10, Sections 3, 4, and 10, Township 23, ODYD Plan 1068 Except Plan H8323, located at 785 Packinghouse Rd, Kelowna, BC for a three (3) year period commencing from Council approval subject to the following conditions:

1. The residential use is restricted to the current tenant of record on the date of Council approval;
2. At the end of the three (3) year period, or at the end of the occupation of the dwelling by the tenant, whichever is sooner, the suite is to be decommissioned within sixty (60) days; and
3. Obtaining a Delayed Demolition Permit through the City of Kelowna Building Department for the suite removal, complete with a \$20,000 decommissioning bond as part of that permit.

AND FURTHER THAT any application to extend the permit must be approved by Council prior to the Temporary Use Permit expiring on August 23, 2019.

Carried

### 7.4 960 Mayfair Road, DP16-0113 & DVP16-0058 - Justin & Rebecca Bullock

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.

Birte Decloux Urban Options Planning & Permits

- Displayed a PowerPoint presentation summarizing the application.
- Ensured there is vegetative matter for screening.
- Advised there would be a maple tree planted to act as a screen to the neighbouring home for privacy.
- Responded to questions from Council.

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Given

**R632/16/08/23** THAT Council authorizes the issuance of Development Permit No. DP16-0113 for Lot 2 District Lot 143 ODYD Plan EPP62178, located at 960 Mayfair Road, 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";

THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0058 for Lot 2 District Lot 143 ODYD Plan EPP62178, located at 960 Mayfair Road, Kelowna, BC;

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

**Section 13.6.6(h): RU6 - Two Dwelling Housing Development Regulations**

To vary the required minimum rear yard from 7.5 m permitted to 2.3 m proposed.

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

Carried

**7.5 145 Dougall Road, BL11193 (Z15-0052) - Narish Kathpal**

Moved By Councillor Dehart/Seconded By Councillor Singh

**R633/16/08/23** THAT Bylaw No. 11193 be adopted.

Carried

**7.6 340 Highway 33 West, DP15-0235 & DVP15-0236 - Zsy Holdings 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:

**Letter of Opposition or Concerns**

Ted Gabor, Dougall Rd  
Sherri Ducholke, Asher Road

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

Birte Decloux Urban Options Planning & Permits

- Displayed a PowerPoint presentation summarizing the application.
- Responded to questions from Council.

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Donn/Seconded By Councillor Given

R634/16/08/23 THAT final adoption of Rezoning Bylaw No. 11193 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP15-0235 for Lot 1 Section 26 Township 26 ODYD Plan EPP62403 located at 340 Highway 33 West, 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 the Development Variance Permit No. DVP15-0236 for Lot 1 Section 26 Township 26 ODYD Plan EPP62403, located at 340 Highway 33 East, Kelowna, BC;

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

Section 14.4.5 (f) C4 - Urban Centre Commercial Development Regulations

To vary the required minimum rear yard from 6.0 m permitted to 0.20 m proposed;

Section 7.6.1 (c) - Landscaping and Screening Minimum Landscape Buffers

To vary the required minimum landscape buffer from 3.0 m permitted to 1.40 m proposed and 0.0 m proposed.

AND THAT Council's consideration of this Development Permit and Development Variance 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 October 29, 2015;

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

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

Carried  
Councillor Hodge - Opposed

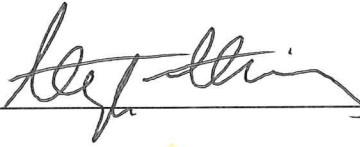
8. Reminders - Nil.

9. Termination

The meeting was declared terminated at 10:59 p.m.

\_\_\_\_\_  
Mayor

/acm

  
\_\_\_\_\_  
City Clerk

DRAFT

**CITY OF KELOWNA**  
**BYLAW NO. 11268**  
**Z16-0001 - Kelowna Hwy 97 / 33 Holdings Ltd.,**  
**Inc. No. BC1003626 - 2486 Hwy 97 N**

---

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, District Lot 125, ODYD Plan 18724 Except Plans KAP78413 and KAP80632 located on Hwy 97 N, Kelowna, B.C., from the C9 - Tourist Commercial zone to the C4 - Urban Center Commercial 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 22<sup>nd</sup> day of August, 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. 11271**  
**Z16-0031 - Cheryl Holmes Medical Services Ltd.,**  
**Inc. No. BC0351645**  
**361 Yates 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 10, Section 5, Township 23, ODYD, Plan 15293 located on Yates Road, 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 22<sup>nd</sup> day of August, 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. 11270**  
**Z16-0034 - Delauralyn Pihl**  
**4491 Stewart Road West**

---

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 221, Section 32, Township 29, ODYD, Plan 1247 located on Stewart Road W, Kelowna, B.C., from the Agriculture 1 zone to the A1c - Agriculture 1 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 22<sup>nd</sup> day of August, 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

# REPORT TO COUNCIL



**Date:** September 6, 2016

**RIM No.** 0930-50

**To:** City Manager

**From:** Community Planning Department (PMc)

**Application:** LL16-0005 **Owner:** 0729076 BC Ltd.

**Address:** 274 Lawrence Ave. **Applicant:** David Habib

**Subject:** Liquor License Application

**Existing OCP Designation:** Mixed Use (Residential/Commercial)(MXR)

**Existing Zone:** C7lp - Central Business District (liquor primary)

---

## 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 non-support of an application from David Habib (Liquid Zoo) for a liquor primary license amendment for Lot 3, Block 13, DL139, O.D.Y.D., Plan 462, located at 274 Lawrence Avenue, Kelowna, BC for a change in capacity from the current occupant load of 301 persons to the proposed 450 persons for the following reasons:

Concern for the potential negative impacts of an increase in Liquor Primary patron capacity in this area by adding to the existing challenges in the area regarding noise, patron behavior, and increase in police enforcement. As well, staff have concerns for the turn-over of the area to a future mixed-use development as envisioned in the Official Community Plan.

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

Criteria for license amendment:

- a. The potential for noise if the application is approved:

There is potential for an increase in noise due to the additional capacity of service. Any increase in noise would likely have a minimal impact on the area currently, but could be a larger issue in the future as there is a transition to more residential uses.

- b. The impact on the community if the application is approved:

There is the potential for significant negative community impacts related to late night noise and inappropriate behaviour which could result in additional policing costs.

3. Council's comments on the views of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures."

## **2.0 Purpose**

To consider a staff recommendation NOT to support a structural change application to the Liquor Control and Licensing Branch to increase the licensed capacity to an existing Liquor Primary liquor license.

## **3.0 Community Planning**

Staff and the RCMP have concerns with the increase in occupant loads that the applicant has proposed from 301 to 450 persons. Council policy #359 requires that large establishments (capacity greater than 250 persons) be separated from other large establishments by a minimum of 250m. or separated from other medium establishments (capacity between 100 - 249 persons) by 100m. In this case, the subject property is separated from the nearest LP establishment (The Cake Nightclub) by only 90m. RCMP resources are already at capacity dealing with issues related to the "bar flush" that occurs in this area of the City between 1:30 AM and 2:30 AM. Staff's concern relates to adding more patrons to the numbers of people that are already putting a strain on the police and taxi industry in this area at this time. Staff are also concerned about the potential impacts that multiple LP establishments may have on this area in the future as it begins to transition to a more mixed use neighbourhood as envisioned by the Official Community Plan. It is for this reason that staff are recommending for non-support.

An alternative recommendation has been provided should Council support the patron capacity increase.

## **4.0 Proposal**

### **4.1 Background**

The subject property has operated as a number of hospitality oriented businesses over the years. There has been a cabaret operating at this location since the early 2000's.

In 2015, Development Permit application DP15-0116 was issued to authorize a major renovation to the façade and building to modernize the street elevation and to provide more formal useable space to the former covered patio area on the roof.

### **4.2 Project Description**

The applicant is seeking Council support for a Structural Change to the capacity of an existing Liquor Primary Establishment.

The Liquid Zoo night club (formerly known as the "Senior Frog's", "Club Med", and "Champagne Charlie's") has been operating as a cabaret at this location since the early 2000's. This application seeks to increase the licensed capacity of the establishment from the current



occupant load of 301 persons for the entire building to the proposed total capacity of 450. This revised capacity also includes the interior portion of the second floor level and a rooftop deck area. No change to the business focus, clientele or management are anticipated through these changes. It has been noted that the increase in capacity will also trigger an increase in the required off-street parking to be provided. This can be accommodated by providing payment for the shortfall in parking (3 stalls @ \$22,500.00 = \$67,500.00), as provided for in the Payment in Lieu of Parking Bylaw #8125, should this application be supported by Council.

#### Existing Hours of Sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11:30 AM	11:30 AM	11:30 AM	11:30 AM	11:30 AM	11:30 AM	11:30 AM
Close	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM

#### Proposed Structural Change Summary:

Person Capacity (including staff):

Licensed Area	Capacity
Total Existing Licensed Capacity	301
Proposed Licensed Capacity lower floor	259
Proposed Licensed Capacity upper floor	101
Licensed Patio area upper floor level	90
<b>Proposed Total Licensed Capacity</b>	<b>450</b>

#### 4.3 Site Context

The subject property is located within the City Centre Urban Centre, within the "Entertainment District". The subject property is located on the north side of Lawrence Avenue, near Water Street. The Cake Nightclub is also located on the north side of Lawrence Avenue, but near Abbot Street to the west (approx.90m.). The Sapphire Nightclub (250m.) and Level Nightclub (220m) are both located on Leon Avenue.

Subject Property Map:

247 Lawrence 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:

- Large establishments (with person capacity greater than 249 persons):
  - Should only be located within an Urban Centre.
  - Should be located a minimum of 250m from another Large establishment.
  - Should be located a minimum of 100m from a Medium establishment.
  - Should not be located beside a Small establishment.
- Medium establishments (with person capacity between 100-249 persons):
  - Should only be located within an Urban or Village Centre.
  - Should be located a minimum of 100m from a Large or Medium establishment.
  - Should not be located beside a Small 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)

As shown above, the proximity of subject property to the nearest liquor primary establishment, as well as one of the liquor primary establishment located on Leon Avenue does not meet the siting/density guidelines provided in the Council Policy 359.

## **6.0 Technical Comments**

### **6.1 Building & Permitting Department**

No Comment

### **6.2 Fire Department**

The Fire Department has no concerns if building department is satisfied with exits and exit capacity

### **6.3 R.C.M.P.**

Kelowna RCMP are guided by Council Policy 359. Accordingly, the RCMP do not support the applicant's request for a permanent increase to the licensed seating capacity of this establishment.

## **7.0 Application Chronology**

Date of Application Received:	April 7, 2016
Revised Occupant Load Received:	May 3, 2016
Updated RCMP Comments:	July 27, 2016

## **8.0 Alternate 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 an application from David Habib (Liquid Zoo) for a liquor primary license amendment for Lot 3, Block 13, DL139, O.D.Y.D., Plan 462, located at 274 Lawrence Avenue, Kelowna, BC for a change in capacity from the current occupant load of 301 persons to the proposed 450 persons for the following reasons:

Concern for the potential negative impacts of an increase in Liquor Primary patron capacity in this area by adding to the existing challenges in the area regarding noise, patron behavior, and increase in police enforcement. As well, staff have concerns for the turn-over of the area to a future mixed-use development as envisioned in the Official Community Plan.

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

Criteria for license amendment:

- a. The potential for noise if the application is approved:  
There is potential for an increase in noise due to the additional capacity of service. Any increase in noise would likely have a minimal impact on the area currently, but could be a larger issue in the future as there is a transition to more residential uses.
- b. The impact on the community if the application is approved:  
There is the potential for significant negative community impacts related to late night noise and inappropriate behaviour which could result in additional policing costs.

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."

**Report prepared by:**

---

Paul McVey, Urban Planner

**Reviewed by:**

☐

Ryan Smith, Community Planning Department Manager

**Approved for Inclusion:**

☐

Doug Gilchrist, Divisional Director, Community Planning & Real Estate

**Attachments:**

Location Map  
Building Floor Plans  
Conceptual Elevations  
LCLB License Application package



# Subject Property Map - 274 Lawrence Ave.



- Legend**
- Legal Lots Text
  - Lot Lines
  - Future Land Use Text
  - Zoning



Notes

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

0 50 100Meters

June 15, 2016









## What is a Structural Change?

It is defined as a change to the existing approved licensed area(s), including but not limited to:

- a change in the position of a wall or partial height divider (pony wall) or fixed planters used as separation between/within a licensed area
- new construction
- the removal or addition of permanent display cabinets, stages or dance floors
- a change to the food and liquor service bar location or size
- in the position of access and exit points leading to or from a licensed area
- the removal of a licensed area from the liquor licence
- addition of a new outdoor patio or the removal or expansion of an existing patio
- increase to capacity (occupant load) of a licensed establishment with or without changes to the licensed area(s)
- such other construction or changes the general manager considers may affect patron routing, capacity, or the line of sight between a staff control point and the licensed area of the establishment.

If you are making changes to the current approved floor plan, other than cosmetic changes, a structural alteration application is required.

**Note:** This does not include cosmetic changes such as changes to existing flooring, wallpaper, reconfiguring tables and chairs, countertops, painting, or changing the type of material used in the perimeter bounding of an outdoor patio.

If you have any questions about this application, call the Liquor Control and Licensing Branch (LCLB) toll-free at: 1 866 209-2111

## Licence Information

☐ Please check if licence is currently dormant.

Licence # affected: 500233

If yes, attach a letter signed by the licensee requesting the licence to be reactivated if this application is approved.

Do you currently hold other licences at this location?

☐ Food Primary (Licence #)

☒ Liquor Primary (Licence #)

☐ Licensee Retail Store (Licence #)

☐ UBrew/UVIn (Licence #)  
or Other

Licensee name [as shown on licence]: Quail Place Estates

Establishment name [as shown on licence]: Liquid Zoo

Establishment

Location address: 274 Lawrence street

Kelowna

BC

V1Y 6L3

(as shown on licence)

Street

City

Province

Postal Code

Business Tel with area code: 778 484-5882

Business Fax with area code:

Business e-mail: theliquidzookelowna@gmail.com

Business

Mailing address: 264 Rialto drive

Kelowna

BC

(if different from above)

Street

City

Province

Postal Code

Contact Name: Komant Becky Dee

last / first / middle

Title/Position: Owner - President

## Type of Change Requested

Please check ☒ appropriate box(es) below:

Sub- Job Number  
Office Use ONLY

Part 1	<input type="checkbox"/> Addition of a New Outdoor Patio	Outdoor Patio (C3-LIC)
Part 2	<input checked="" type="checkbox"/> Alteration/Renovation	Structural - capacity change (C3-LIC)
	<input type="checkbox"/> Removal of an existing licensed area	Structural - no capacity change (C4-LIC)
	<input type="checkbox"/> Other	



## Application Contact Information

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

Name: Becky Komant

Phone number: 1 250 317-4642

Fax number:

E-mail address: beckykomant@hotmail.com

## PART 1: Addition of New Outdoor Patio

Fee: \$440

C3 - LIC

### Provide the following information:

1. Attach one 11" x 17" copy of the proposed patio floor plan that shows furniture layout, entrance, exits, and abutting areas that may be licensed and/or unlicensed areas.

The branch requires an occupant load (patrons plus staff) for the proposed patio area(s) which must be marked/stamped and dated ON the plan you submit. Do **not** submit this application if you do not have the occupant load calculation stamped on your patio plans.

**Note:** The occupant load calculation is generally provided by local building or fire authorities in your area. If you are advised that local building or fire authorities do not have jurisdiction or opt out of providing this calculation, provide written confirmation from that authority. You may then take your plan to an alternate qualified architect or design professional who will authorize the calculation.

2. What is the occupant load calculation for the new patio(s)?

Patio #1:

Patio #2:

Patio #3:

3. If the patio(s) is already constructed, **attach a photo**

4. Provide the height and composition of the patio perimeter or bounding that is designed to control patron entry/exit (i.e., railings, fencing, planters, hedging, etc.):

5. Describe the location of the patio in relationship to the licensed interior. The patio should be immediately adjacent or contiguous to the interior licensed area so that it does not appear to be a standalone patio.

6. Describe how patrons will access the patio.

7. Will servers have to carry liquor through any unlicensed areas to get to the patio? ☐ No ☐ Yes If yes, please explain:

8. Describe how staff will manage and control the patio from the interior licensed area.

9. Is the patio located on: (a) grass, (b) earth, (c) gravel, (d) finished flooring, (e) cement sidewalk or (f) other (please specify below). If located on grass, earth or gravel, please make sure that you have local health authority approval.

10. Will the patio have a fixed or portable liquor service bar? ☐ Yes ☐ No

11. If "No", will liquor be served from the interior service bar? ☐ Yes ☐ No

**Note:** A resolution from your local government or First Nation commenting on the application is required. Please see Parts 3 and 4 for an explanation of what the local government or First Nation is required to consider.

## PART 2: Structural Changes (Excluding construction of new patios)

Fee: \$440

C3 - Cap Ch.

C4 - No Cap Ch.

### Provide the following information:

1. Describe in full detail the reason for this application and what the changes are that you want considered.

To add washrooms to the second floor and change the existing roof system from a metal pitched roof to a flat roof as requested by the city. Change stairwell to meet fire code regulation and add new space for office and staff room. The increase in capacity is directly related to meeting fire code exiting regulations which require fire separation which was done years ago but never applied for a capacity change.

2. Attach one 11" x 17" updated floor plan of the establishment which shows the changes proposed and has the determined occupant load calculations stamped on the plan. The floor plan is a view of the establishment as seen if you were to remove the roof or ceiling.

Floor plans must:

- Show acceptable levels of detail
- Show the dimensions of rooms and provide labels for each room as well as identify unlicensed areas, partial height walls, full height walls, planters, doors and windows, stairs showing direction of travel and all entrances and exits, washrooms, kitchens, bar, patio(s), and furniture layout must be marked on the plan you submit

**Note:** The occupant load calculation is generally provided by local building or fire authorities in your area. If you are advised that local building or fire authorities do not have jurisdiction or opt out of providing this calculation, provide written confirmation from that authority. You may then take your plan to an alternate qualified architect or design professional who will authorize the calculation. Do not submit this application if you do not have updated floor plans with updated current occupant load.

3. Current total of all licensed areas (as shown on the liquor licence): 301

4. By making these alterations, the total occupant load will:

- ☐ Decrease to:  (patrons plus staff)
- ☐ Stay the same:  (patrons plus staff)
- ☐ Increase to: 450 (patrons plus staff)

If there is an increase, a resolution from your local government or First Nation commenting on the application is required. Please see Parts 3 and 4 for an explanation of what the local government or First Nation is required to consider.

## PART 3: Local Government/First Nation Resolutions: Information for the Applicant

A resolution from your local government or First Nation commenting on the application is required for the following change types:

- Part 1: Addition of a new patio
- Part 2: Any alteration/addition, when the proposed change increases the occupant load calculation.

### Licensee responsibilities:

1. Fill out applicable sections of this form.
2. Attach floor plan showing the proposed changes and stamped with an updated and current occupant load calculation.
3. Take your completed application, updated floor plan with updated occupancy load calculation to your local government/First Nation office. They will photocopy all of the documents and complete Part 4.
4. Request that a resolution be provided within 90 days and sent via email or post directly to the Liquor Control and Licensing Branch, Victoria.
5. Send the completed original form, floor plan and application fees to the branch.
6. The Liquor Control and Licensing Branch will follow up with the local government/First Nation if a resolution has not been received by the Branch within 90 days of the local government's receipt of your request.

Your local government/First Nation may decide that it does not wish to provide comment on your change request. However, they must still provide a resolution or letter stating this decision and submit it directly to the Liquor Control and Licensing Branch.



## PART 4: Local Government/First Nation Confirmation of Receipt of Application

This is to be filled out by your local government/First Nation office in relation to Parts 1 and 2. Applies to Liquor Primary and Liquor Primary Club licences.

Local government/First Nation (name): CITY OF KELOWNA

Name of Official: McVEY, PAUL  
(last / first / middle)

Title/Position: URBAN PLANNER

Email: pmcvey@kelowna.ca

Phone: 250-460-8582

Signature of Official: 

Date of receipt of application: 4/04/16  
(day / month / year)

This application serves as notice from the Liquor Control and Licensing Branch (LCLB) that an application for a permanent change to a liquor licence is being made within your community. LCLB requests that a resolution commenting on the application be sent to the LCLB Victoria Head Office within 90 days of the above date of receipt. If more than 90 days is required to provide a resolution, please contact the branch to make a request to the general manager for an extension. If the local government/First Nation decides not to provide comment, a resolution or letter indicating this decision must be provided to the branch.

All of the items outlined below in points (a) through (d) must be addressed in the resolution in order for the resolution to comply with section 53 of the Liquor Control and Licensing Regulation. Any report presented by an advisory body or sub-committee to the council or board may be referenced in and attached to the resolution.

- (a) The potential for noise if the application is approved (provide comments).
- (b) The impact on the community if the application is approved (provide comments).
- (c) If the amendment may affect nearby residents, the local government or first nation must gather the views of residents in accordance with 11.3(2)(c) of the Act.

○ If the local government or first nation gathered the views of residents, they must provide:

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

(Residents includes residents and business owners)

○ If the views of residents were not gathered, provide reasons.

- (d) Its recommendation with respect to whether the amendment should be approved.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB website publication index to consult the guide *Role of Local Government and First Nation* at <http://www.pssg.gov.bc.ca/lclb> under "Publications, Legislation & Resources".

## PART 5: 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:
  - If the applicant owns the property, a Certificate of Title in the applicant's name.
  - 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.
  - 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.
- 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: Komant Becky Dee Position: President - Owner Date: 16 03 2016  
(last / first / middle) (Day/Month/Year)

Signature: B Komant

Name of Official: Position: Date:  
(last / first / middle) (Day/Month/Year)

Signature: \_\_\_\_\_

Name of Official: Position: Date:  
(last / first / middle) (Day/Month/Year)

Signature: \_\_\_\_\_

Name of Official: Position: Date:  
(last / first / middle) (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.**

## PART 6: Application Fees - Payment Options

TOTAL FEE Submitted: \$

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check (X) one):

☐ Cheque, payable to Minister of Finance (If cheque is returned as non-sufficient funds, a \$30 fee will be charged)

☐ Money order, payable to Minister of Finance

☒ Credit card: ☐ VISA ☐ MasterCard ☐ AMEX

☐ I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.

☐ I am submitting my application by mail and have given my credit information in the space provided at the bottom of the page.

**Note:** To ensure legibility, do not submit by fax.

## Contact Information

### Liquor Control and Licensing Branch

Location: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1

For Mail Only: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8

Phone: 250 952-5787 Web: www.pssg.gov.bc.ca/lclb E-mail: liquor.licensing@gov.bc.ca

Freedom of Information and Privacy Act - The information requested on this form is collected for the purpose of obtaining or making changes to a liquor licence application. All personal information is collected under the authority of Section 15 of the Liquor Control and Licensing Act (RSBC 1996, c.267). Questions should be directed to: Liquor Control and Licensing Branch, Freedom of Information Officer, PO Box 9292 STN PROV GOVT, Victoria, BC V8W 9J8. Ph: In Victoria, 250 952-5787 Outside Victoria, 1 866 209-2111. Fax: 250 952-7066

LCLB012a

5 of 5

Application for Structural Change

Credit Card Information (To be submitted by fax or mail only)

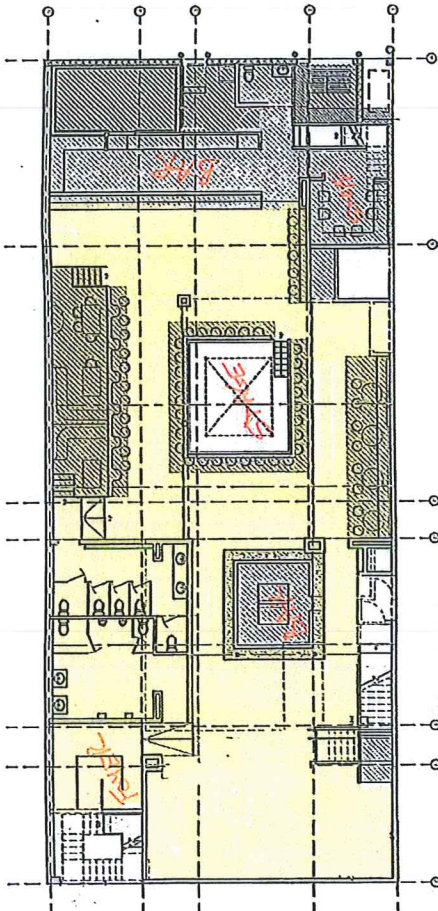
Name of cardholder (as it appears on card): Becky Dee Komant

Credit card number: Expiry date: /  
(Month) (Year)

Signature: \_\_\_\_\_



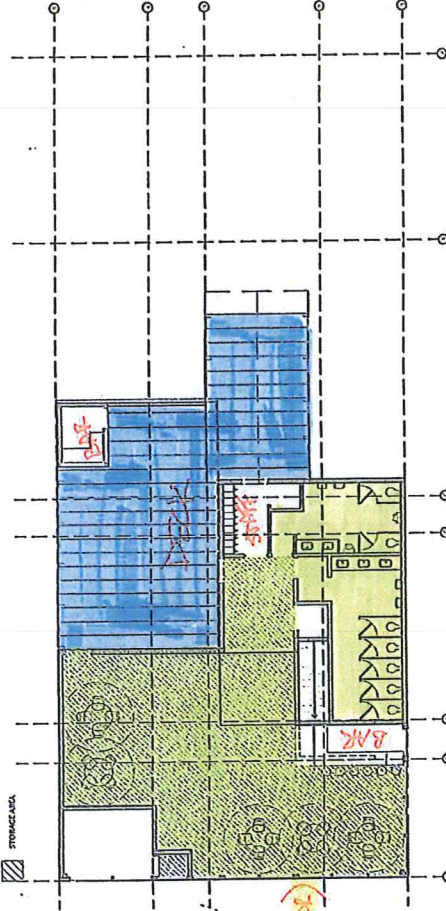
274 LAKE AVE  
LIVID 200



MAIN FLOOR

The MAIN FLOOR has a net floor area of 310.6 m<sup>2</sup>. The maximum occupant load shall be 250 persons, based on 1.2 m<sup>2</sup>/person.

FOYER, WASHROOMS, STAGE, BAR & STAFF AREAS NOT INCLUDED IN NET AREA



UPPER FLOOR

The SEIZURE FLOOR (INTERIOR) has a net floor area of 121.4 m<sup>2</sup>. The maximum occupant load shall be 101 persons, based on 1.2 m<sup>2</sup>/person.

WASHROOMS, BAR & STAFF AREAS NOT INCLUDED IN NET AREA

The SEIZURE FLOOR (INTERIOR) has a net floor area of 103.6 m<sup>2</sup>. The maximum occupant load shall be 90 persons, based on 1.2 m<sup>2</sup>/person.

Reviewed  
by City of Kelowna  
Inspection Services  
APR 27, 2016  
MJS

PRELIMINARY LIQUOR LICENSE  
OCCUPANT LOAD CALCULATIONS  
NOT SITE VERIFIED

**CITY OF KELOWNA**  
**BYLAW NO. 11255**  
**Z16-0009 - James Sharko and Maureen Atrens-Sharko**  
**5080 Lakeshore Road**

---

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot C, Section 23, Township 28, SDYD, Plan 30063 located on Lakeshore Road, Kelowna, B.C., from the A1 - Agriculture zone to the RR2c-Rural Residential 2 with Carriage House zone.
2. AND THAT Bylaw No. 4602-78 being "James H. B. Browne and Barbara D.B. Browne, Land Use Contract Authorizing By-Law, Lakeshore Road, File LUC77-1012" and all amendments thereto, are hereby repealed.
3. 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 20<sup>th</sup> day of June, 2016.

Considered at a Public Hearing on the 12<sup>th</sup> day of July, 2016.

Read a second and third time by the Municipal Council this 12<sup>th</sup> day of July, 2016.

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk



# REPORT TO COUNCIL



**Date:** September 6, 2016  
**RIM No.** 0940-00 and 0940-50  
**To:** City Manager  
**From:** Community Planning Department (AC)  
**Application:** DP16-0046 & DVP16-0047      **Owner:** James Sharko  
**Address:** 5080 Lakeshore Road      **Applicant:** James Sharko  
**Subject:** Development Permit and Development Variance Permit Application

---

## 1.0 Recommendation

THAT Final Adoption of Zoning Amending Bylaw and Land Use Contract discharge Bylaw No. 11255 be considered by Council;

THAT Final Adoption of Zoning Amending Bylaw No. 11165 be considered by Council;

AND THAT Council authorize the issuance of Development Permit DP16-0046 for Lot C, Section 23, Township 28, SDYD, Plan 30063, located on 5080 Lakeshore Road, Kelowna, BC, subject to the following:

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

AND THAT Council authorize the issuance of Development Variance Permit DVP16-0047 for Lot C, Section 23, Township 28, SDYD, Plan 30063, located on 5080 Lakeshore Road, Kelowna, BC.

AND THAT the variances to the following sections of Zoning Bylaw No. 8000 be granted only in accordance with Schedules 'A' & 'B' attached to DP16-0046 / DVP16-0047:

### Section 9.5b.1(c) Carriage House Regulations

- Eliminate the rule that the "principal dwelling units shall be located between the front yard and the carriage house";

### Section 9.5b.1(e) Carriage House Regulations

- Increase the upper storey floor area relative to the carriage house footprint from 75% to 107%.

### Section 12.2.6 Development Regulations

- Increase the maximum height from 4.8m to 5.89m;

### Section 6.1.11 Okanagan Lake Sight Lines

- Increase the maximum percentage of buildings that is permitted to be sited within 608 from the corner of the neighbouring house from 0% to 100%.

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

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

## **2.0 Purpose**

To consider a form and character Development Permit for a Carriage house and to consider three variances to the carriage house and one variance to the proposed beach pavilion.

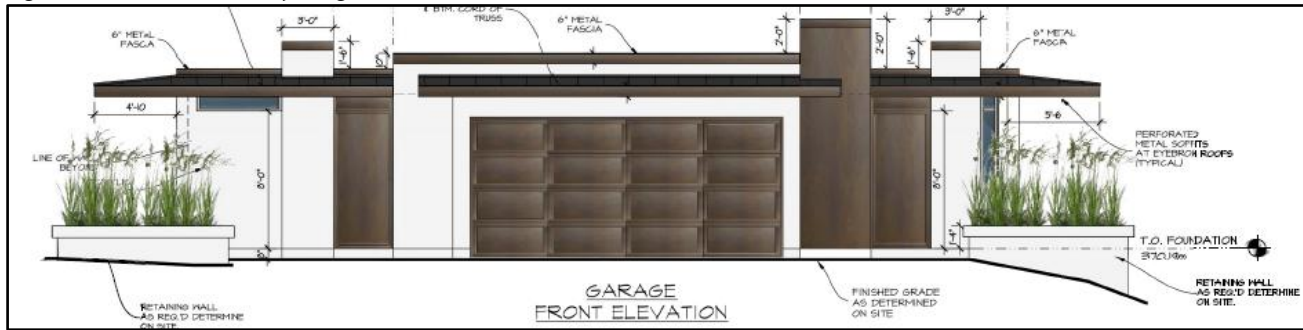
## **3.0 Community Planning**

The applicant is seeking to convert the accessory building, under construction, on the south end of the property to a carriage house. The property was under the regulation of a Land Use Contract which did not permit the development of a carriage house, however, the applicant has completed all the final conditions related to the rezoning and land use contract discharge applications. The final conditions were the completion of the Development Engineering requirements.

There are three variances related to the carriage house:

1. To permit carriage houses to be located in the front yard;
  - a. When properties are fronting onto the lake, Staff are encouraging this variance to concentrate the residential uses near the road rather than near the riparian area.
2. To increase the maximum height of the carriage house from 4.8m to 5.89m.
  - a. This height variance is needed for the downhill (rear) portion of the carriage house. The variance is necessary because the walkout basement exemption do not apply to carriage houses. Staff support the height variance for the same reasons described in the paragraph below.
3. To increase the maximum upper story floor area relative to bottom story from 75% to 107%;
  - a. The purpose of this rule was to prevent carriage house 'box' designs and encourage more floor area on the ground floor in order to limit the visual and privacy impact on adjacent neighbours. However, when properties are on Hillslopes, especially on lakefront properties where carriage houses are located near the road, the visual impact from the road will look like a single storey building and the two storey portion will face the primary dwelling rather than an adjacent neighbour (see rendering below).

Figure 1: Front Elevation facing Lakeshore Rd



The applicant is proposing a beach house as an accessory building. Generally, Council does not approve any accessory buildings, however, in this case the building is sited in a manner that contravenes Section 6.11 Okanagan Lake Sight Lines provision within the Zoning Bylaw (See Diagram 6.2 for the illustrative rule).

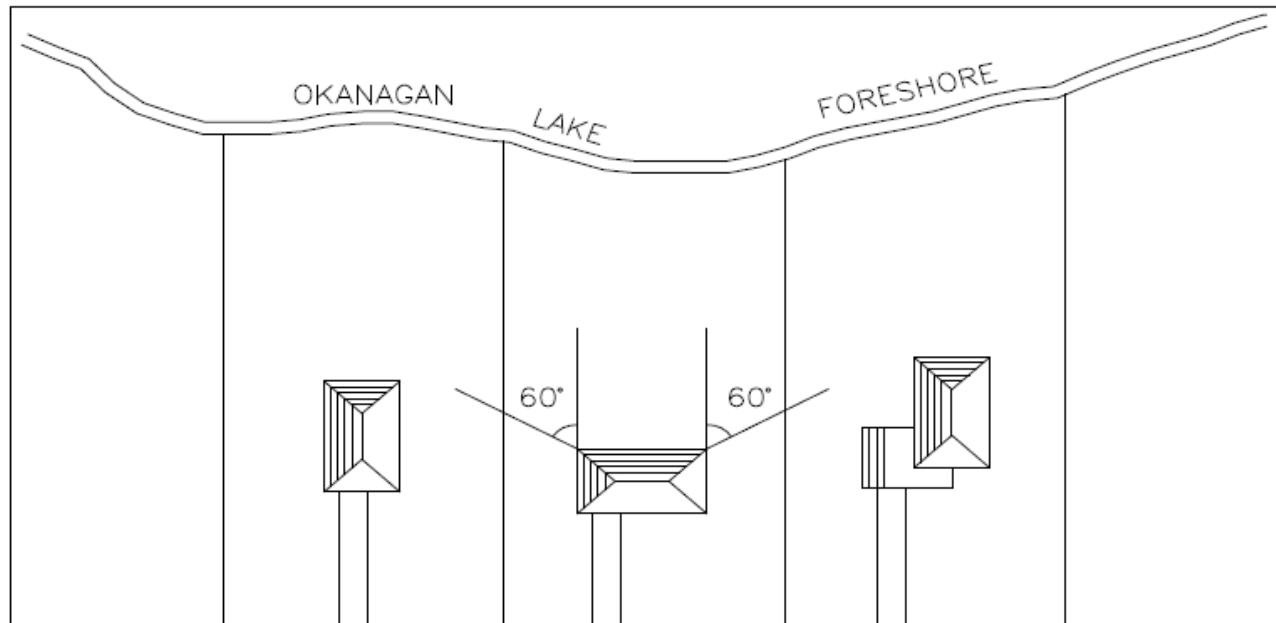


Diagram 6.2: Okanagan Lake 120° Panoramic Sight Line

There is one variance related to the beach house:

1. The beach house is sited within the 608 limit from the corner of the neighbouring house.
  - a. Staff are supportive of this variance and all Okanagan Lake Sight Line variances when the proposed structure does not affect the neighbours views and is located significantly downslope. See Figure 2, 3, & 4 for the illustrative visual impact.

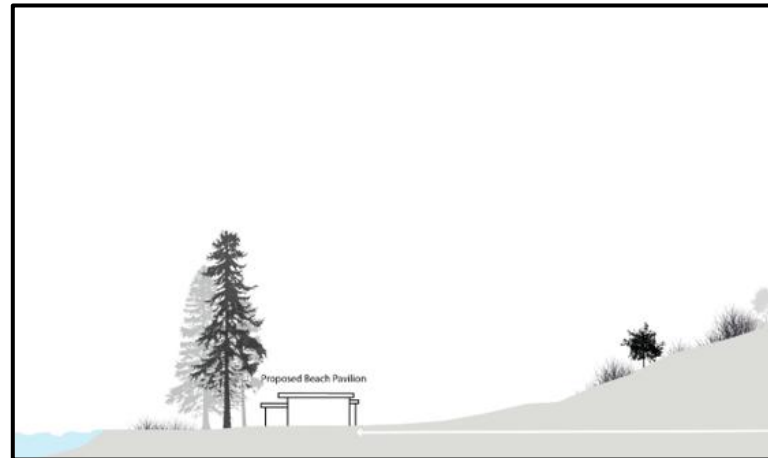
Figure 2: Contours



Figure 3: 608 Sight Line



Figure 4: Section Example of Elevation Change



Overall, Staff are supportive of increasing rental housing options through the additions of carriage houses. Staff are supportive of carriage houses in the front yard when properties are large in size and are fronting onto Okanagan Lake. Also, Staff are supportive of Okanagan Lake Sight Line variances when significant elevation change occurs. Lastly, the architectural style, colours, and materials of the carriage house in consistent with the main dwelling and in keeping with the character of the neighbourhood.

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

## 4.0 Proposal



#### 4.1 Project Description

The applicant is seeking to build a dwelling with a supporting carriage house. The property has one dwelling and an accessory building that are under construction and is looking to convert the accessory building into a carriage house. Further, the applicant is proposing a beach pavilion.

#### 4.2 Site Context

The subject property abuts Lakeshore Road on the northwest side. The property is designated S2RES - Single/Two Unit Residential in the Official Community Plan and the surrounding area is low density residential. The subject property is 4816 m<sup>2</sup> and the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	W1 - Recreational Water Use	N/A
East	LUC 77-1012 (A1 - Agriculture 1)	Single family residential
South	RU1 - Large Lot Housing	Single family residential
West	RR2 - Rural Residential 2	Single family residential

Subject Property Map: 5080 Lakeshore Road



#### 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Carriage House		
Location	Principle building must be between front yard and carriage house	Carriage house is located in the between the front yard and the principle building ❶
Floor Area	90 m <sup>2</sup>	90 m <sup>2</sup>
Height	4.8 m	5.89 m ❷*
Front Yard	Min. 6 m	13.56 m
Side Yard (east)	Min. 3 m	>20 m
Side Yard (west)	Min. 3 m	6.62 m
Rear Yard	Min. 9 m	116.76 m
Max. Upper Story Floor Area Relative to Bottom Story	75%	107% ❸
Regulations		
Beach Pavilion		
Height	4.5 m	3.3 m
Front Yard	6 m	112.06 m
Side Yard (east)	Min. 3 m	5.59 m
Side Yard (west)	Min. 3 m	14.09 m
Rear Yard	Min. 3 m	50 m
Okanagan Lake Sightlines	0% in 60° Sightline	100% in 60° Sightline ❹
❶ Carriage House Location Variance ❷ Carriage House – Increase Upper Story Floor Area ❷* Carriage House – Increase Maximum Height (depending on walkout exemption) ❹ Beach Pavilion – 60 Degree Sightline Variance		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</sup> 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.

**Sensitive Infill.**<sup>2</sup> 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

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

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

#### 6.1 Building & Permitting Department

- 1 Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- 2 Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- 3 Provide the City of Kelowna Bulletin #88-02 (Secondary Suites Requirements in a single family dwelling) for minimum requirements. The drawings submitted for Building Permit application is to indicate the method of fire separation between the suite and the garage
- 4 Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 12, so provide size of ducts and fire separation details at time of Building Permit Applications.
- 5 A fire rated exit stairwell is required from the suite to the exterior c/w fire rated doors that open into the stairwell and a fire rating on the bottom of the stairs. Please provide these details on the building permit drawing sets. Exit doors are required to swing on a vertical hinge and not a barn door style
- 6 Full Plan check for Building Code related issues will be done at time of Building Permit applications.

#### 6.2 Development Engineering Department

See attached report dated March 17, 2016

#### 6.3 Fire Department

- 1 Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- 2 Access to the main house appears difficult for a fire truck.
- 3 Should a gate be built, ensure that a truck can fit through/under. A fire department lockbox is recommended for emergency access
- 4 Fire flows of 60 L/sec is required for a single family dwelling - location of hydrants should meet the subdivision bylaw.

## 7.0 Application Chronology

Date of Application Received:	February 11, 2016
Date Public Consultation Completed:	April 26, 2016
Date of First Reading:	June 13 <sup>th</sup> 2016
Date of Public Hearing:	July 12 <sup>th</sup> 2016

Report prepared by:

---

Adam Cseke, Planner

Reviewed by: ☐ Terry Barton, Urban Planning Manager

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

### Attachments:

Development Engineering Services Memo (Attachment 'A')  
DP16-0046 & DVP16-0047 (Schedule 'A' & 'B')



## **Design Rationale – Beach Pavilion**

February 9, 2016

The Beach Pavilion is an extension of the main house architecture. It frames the entrance from the lake side located on the lower bench at the property, approximately 60 feet below the upper bench.

The structure is designed for day use with a washroom facility provided for convenient access while enjoying the beach and water activities, along with two sheltered sitting areas.

The structure has been positioned to capture a natural view corridor, which currently exists while preserving the existing large pine trees outside of the riparian set back.

Sixty degree view corridors from the adjacent lakeshore neighbour have also been considered in the location and height of the design, with the provision of a flat roof (extension of the main house architecture).

The structure cannot be seen from the neighbour's house as the site line is obstructed by the natural crest of the upper bench.

The design also is considerate of a private road access easement (KL88735) allowing owner access to the two neighbouring properties.

In summary, this design proposal has been designed in consideration of:

1. Neighbour's 60 degree site lines.
2. Inspection of the existing vegetation (outside of the riparian zone).
3. The riparian set back.
4. Environmental consideration (by retaining ecoscope) to provide guidance and monitoring near the riparian zone.
5. Overall design concept adding value to the surrounding areas.

---

CITY OF KELOWNA  
**MEMORANDUM**

---

**Date:** March 17, 2016  
**File No.:** DP16-0046  
**To:** Land Use Management Department (AC)  
**From:** Development Engineering Manager  
**Subject:** 5080 Lakeshore Rd Lot C Plan 30063 RR2C Carriage House RR2c

---

Development Engineering has the following requirements associated with this application.

Requirements addressed in rezoning file Z16-0009 must be satisfied prior to the issuance of this Development Permit.

Development Engineering has no comment regarding the form and character evaluation of the Carriage House

---

Steve Muenz, P. Eng.  
Development Engineering Manager  
JF/jf

# DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT



## APPROVED ISSUANCE OF DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT

<b>File Number</b>	DP16-0046 & DVP16-0047
<b>Issued To:</b>	James Sharko
<b>Site Address:</b>	5080 Lakeshore Road
<b>Legal Description:</b>	Lot C, Section 23, Township 28, SDYD, Plan 30063
<b>Zoning Classification:</b>	RR2c - Rural Residential 2 with Carriage House
<b>Development Permit Area:</b>	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 Permit No. DP16-0046 & DVP16-0047 for Lot C, Section 23, Township 28, SDYD, Plan 30063, located at 5080 Lakeshore Road, Kelowna, BC 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 the variances to the following sections of Zoning Bylaw No. 8000 be granted only in accordance with Schedules 'A' & 'B' attached to DP16-0046 / DVP16-0047:

Section 9.5b.1(c) Carriage House Regulations

- Eliminate the rule that the “principal dwelling units shall be located between the front yard and the carriage house”;

Section 9.5b.1(e) Carriage House Regulations

- Increase the upper storey floor area relative to the carriage house footprint from 75% to 107%;

Section 12.2.6 Development Regulations

- Increase the maximum height from 4.8m to 5.89m;

Section 6.1.11 Okanagan Lake Sight Lines

- Increase the maximum percentage of buildings that is permitted to be sited within 60° from the corner of the neighbouring house from 0% to 100%.

AND FURTHER THAT this Development Permit and 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.

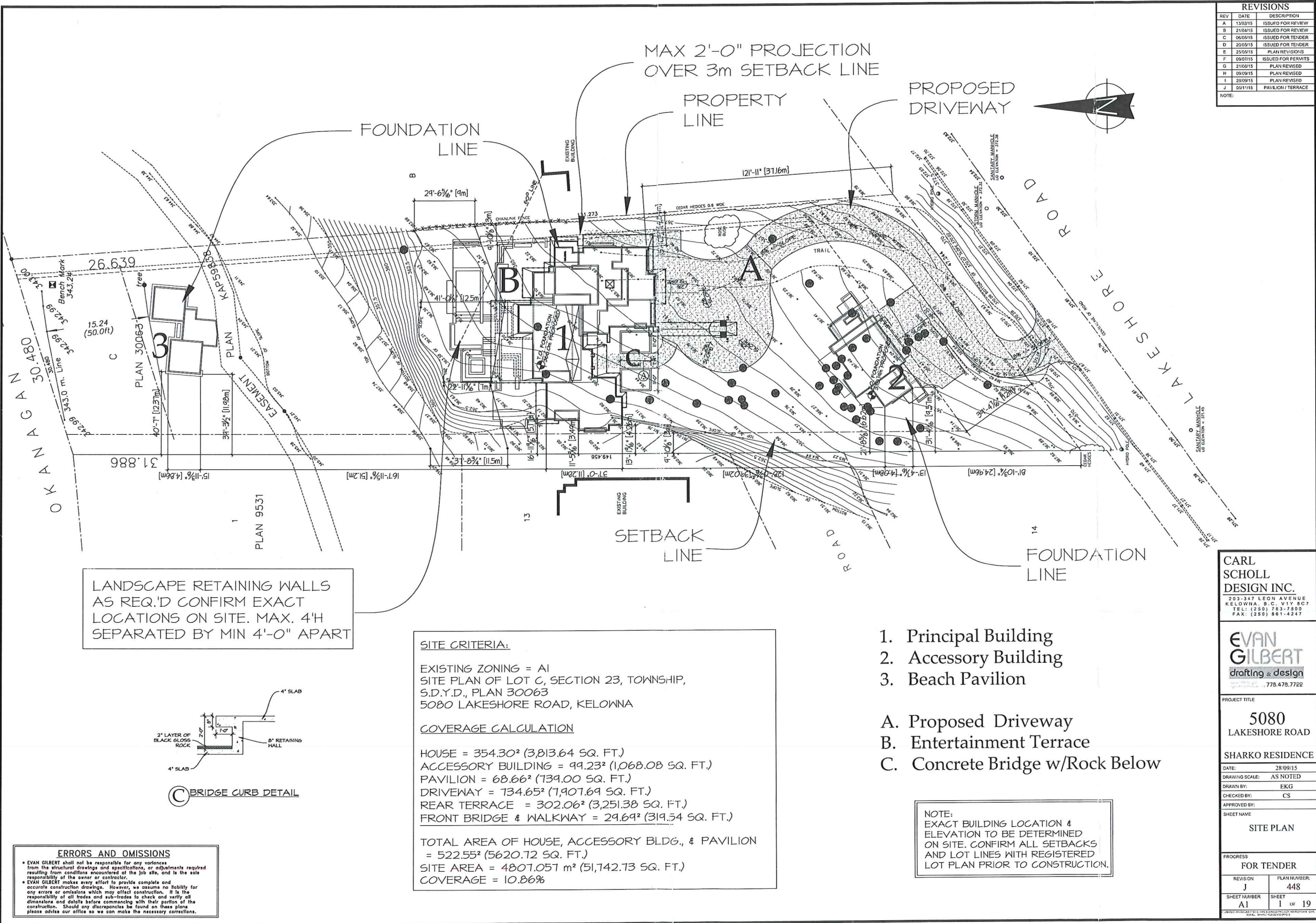
---

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

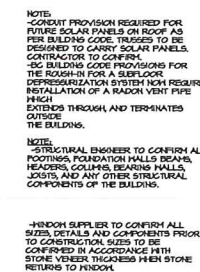
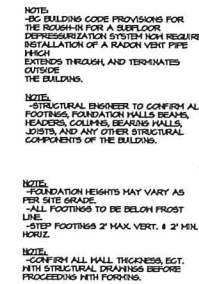
---

Date

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







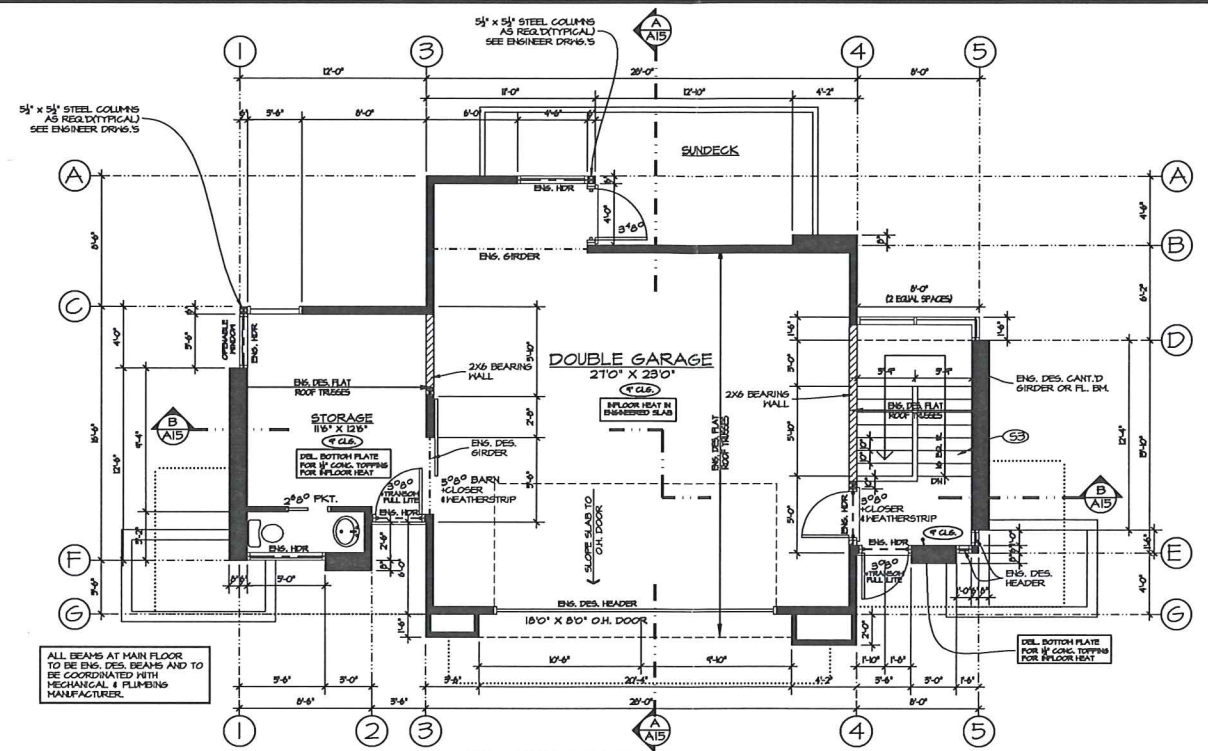
**ERRORS AND OMISSIONS**

- EVAN GILBERT shall not be responsible for any variances from the structural drawings and specifications, or adjustments required for construction from conditions encountered at the job site, and is the sole responsibility of the owner or contractor.
- EVAN GILBERT makes every effort to provide complete and accurate construction drawings. However, we assume no liability for any errors or omissions which may affect construction. It is the responsibility of the contractor and structural engineer to verify all dimensions and details before commencing with their portion of the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.

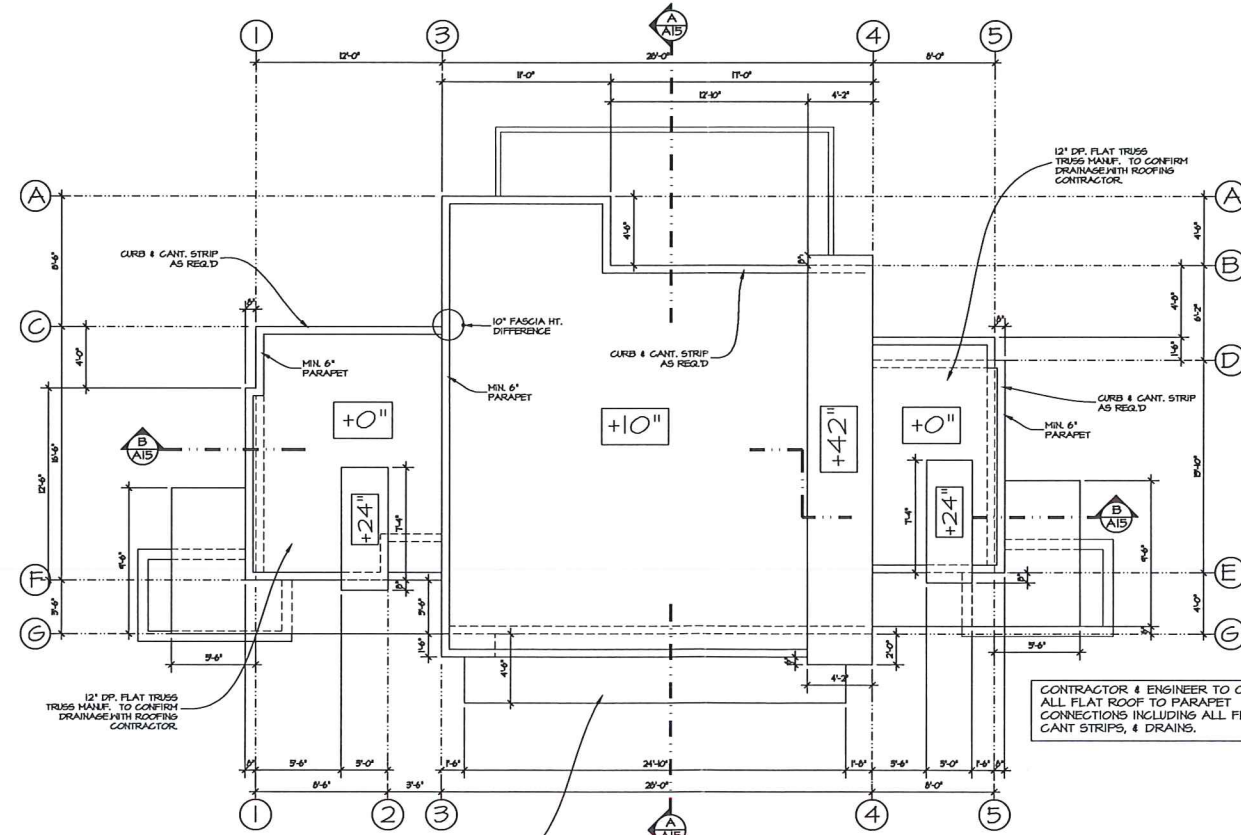
**EVAN  
GILBERT**  
drafting & design  
3000 North 15th Avenue • 778.478.7722

DATE:	28 09/15
DRAWING SCALE:	1/4" = 1'0"
DRAWN BY:	EKG
CHECKED BY:	CS
APPROVED BY:	
SHEET NAME	
DETACHED GARAGE FOUNDATION (ACCESSORY BLDG.)	

PROGRESS	
FOR TENDER	
REVISION 1	PLAN NUMBER: 448
SHEET NUMBER A9	SHEET 9 OF 19



GARAGE FLOOR PLAN  
GARAGE = 722 SQ. FT.  
STORAGE = 110 SQ. FT.  
STAIRS = 123 SQ. FT.



**ERRORS AND OMISSIONS**

• EVAN GILBERT shall not be responsible for any variances from the structural drawings and specifications, or adjustments required resulting from conditions encountered at the job site, and is the sole responsibility of the owner or contractor.

• EVAN GILBERT makes every effort to provide complete and accurate construction drawings. However, we assume no liability for any errors or omissions which may affect construction. It is the responsibility of all trades and sub-trades to check and verify all dimensions and details before commencing with their portion of the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.

REVISIONS		
REV	DATE	DESCRIPTION
A	13/02/15	ISSUED FOR REVIEW
B	21/04/15	ISSUED FOR REVIEW
C	06/09/15	ISSUED FOR TENDER
D	20/09/15	ISSUED FOR TENDER
E	25/09/15	PLAN REVISIONS
F	09/07/15	ISSUED FOR PERMITS
G	21/09/15	PLAN REVISED
H	09/09/15	PLAN REVISED
I	28/09/15	PLAN REVISED
NOTE:		

**CARL SCHOLL DESIGN INC.**  
203-347 LEON AVENUE  
KELOWNA, B.C. V1Y 8C7  
TEL: (250) 763-7800  
FAX: (250) 861-4247

**EVAN GILBERT**  
drafting & design  
778.478.7722

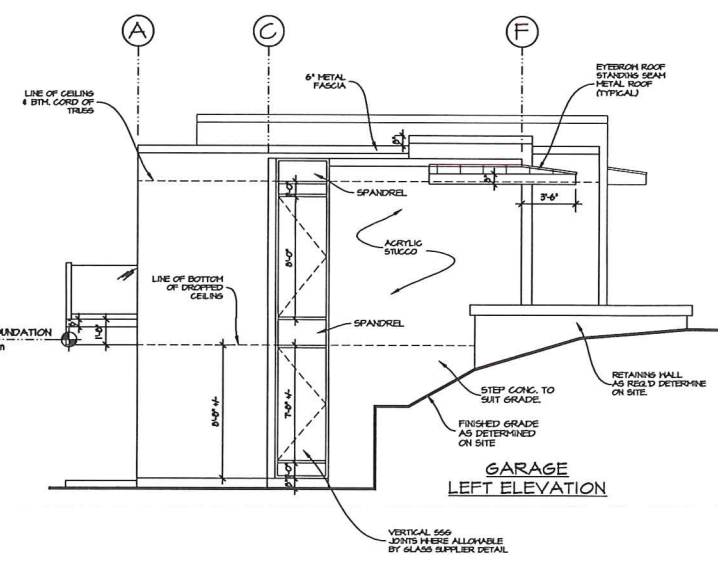
PROJECT TITLE  
**5080 LAKESHORE ROAD**  
**SHARKO RESIDENCE**

DATE: 28/09/15  
DRAWING SCALE: 1/4" = 1'-0"  
DRAWN BY: EKG  
CHECKED BY: CS  
APPROVED BY:  
SHEET NAME  
**DETACHED GARAGE & ROOF PLAN (ACCESSORY BLDG.)**

PROGRESS  
**FOR TENDER**

REVISION	PLAN NUMBER
1	448
SHEET NUMBER	SHEET
A10	10 OF 19





CARL SCHOLL  
DESIGN INC.

203-347 LEON AVENUE  
KELOWNA, B.C. V1Y 8C7  
TEL: (250) 767-7800  
FAX: (250) 661-4247

EVAN GILBERT

drafting & design  
GRAPHIC DESIGNER  
ARCHITECTURAL DRAFTER

778.478.7722

PROJECT TITLE

5080

LAKESHORE ROAD

SHARKO RESIDENCE

DATE: 28/09/13

DRAWING SCALE: 1/4" = 10"

DRAWN BY: EKG

CHECKED BY: CS

APPROVED BY:

SHEET NAME

GARAGE

ELEVATIONS

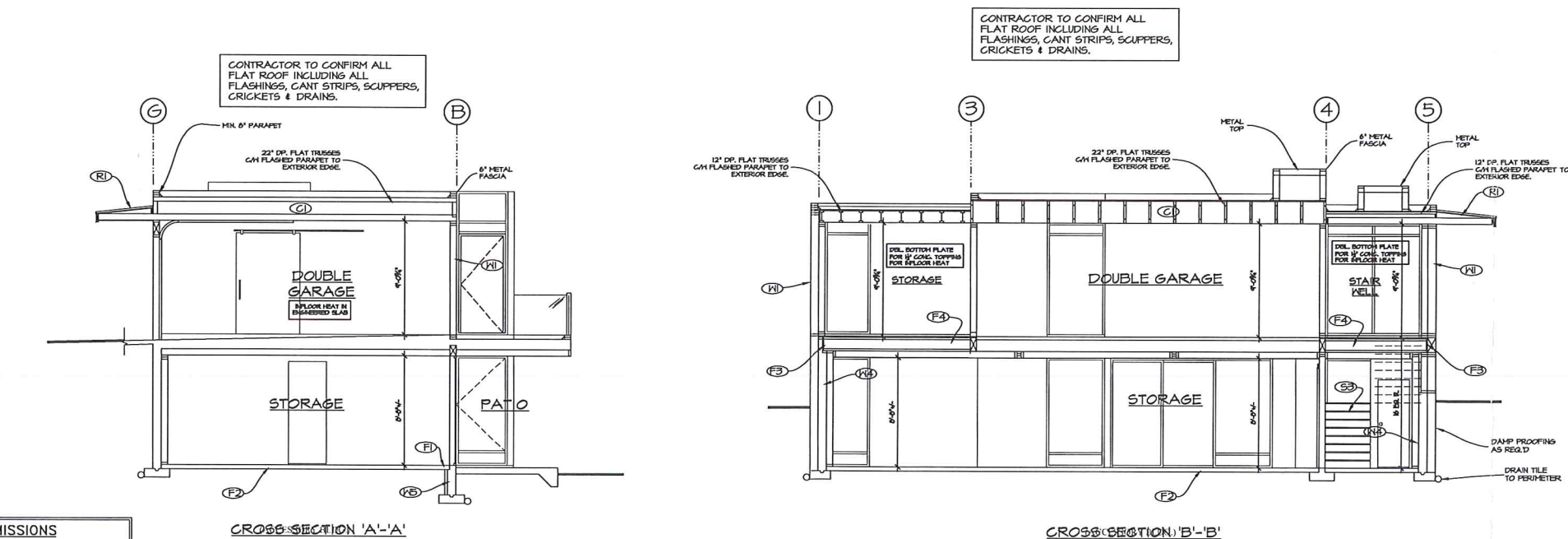
(ACCESSORY BLDG.)

PROGRESS

FOR TENDER

REVISION	PLAN NUMBER
I	448
SHEET NUMBER	SHEET
A11	11 OF 19

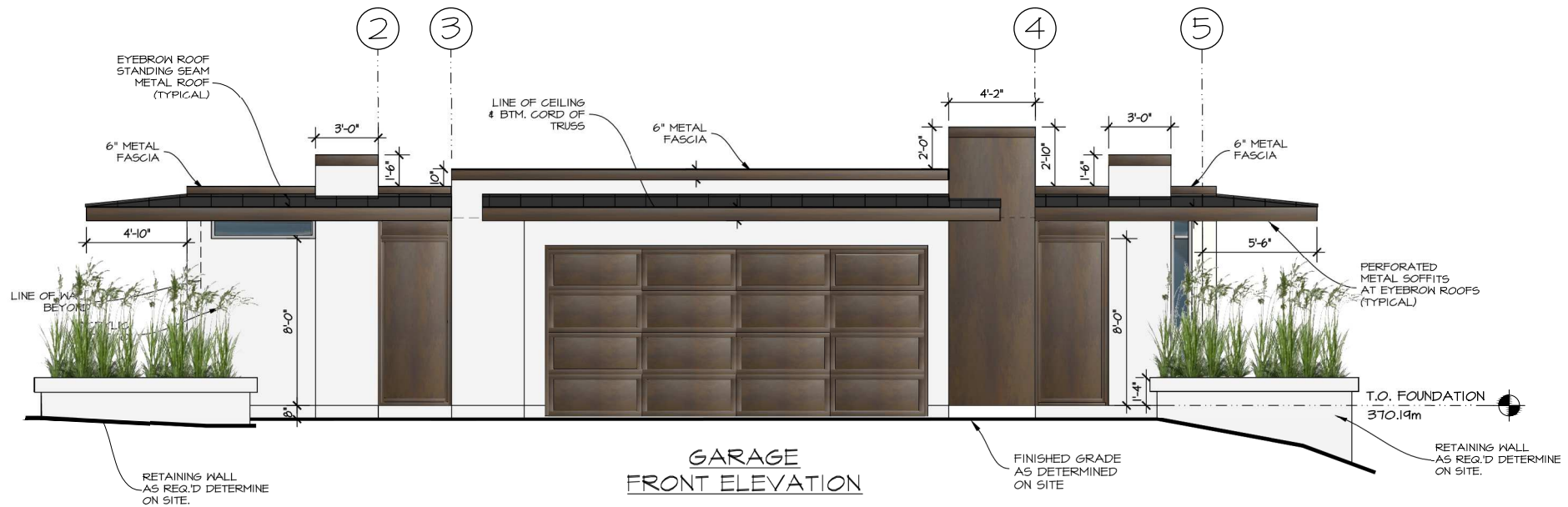
© 2012 CARL SCHOLL DESIGN INC. ALL RIGHTS RESERVED.  
THIS DOCUMENT IS THE PROPERTY OF CARL SCHOLL DESIGN INC.



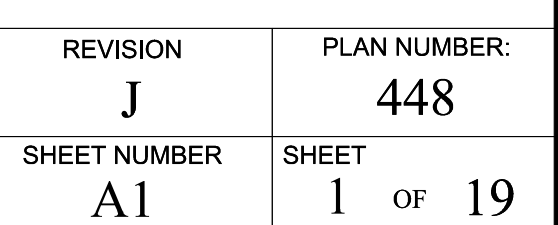
- EYAN GILBERT shall not be responsible for any variances from the structural drawings and specifications, or adjustments required resulting from conditions encountered at the job site, and is the sole responsibility of the owner or contractor.
- EYAN GILBERT makes every effort to provide complete and accurate construction drawings. However, we assume no liability for any errors or omissions which may affect construction. It is the responsibility of the contractor and architect to check, verify all dimensions and details before commencing work with their portion of the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.

**EVAN  
GILBERT**  
drafting & design

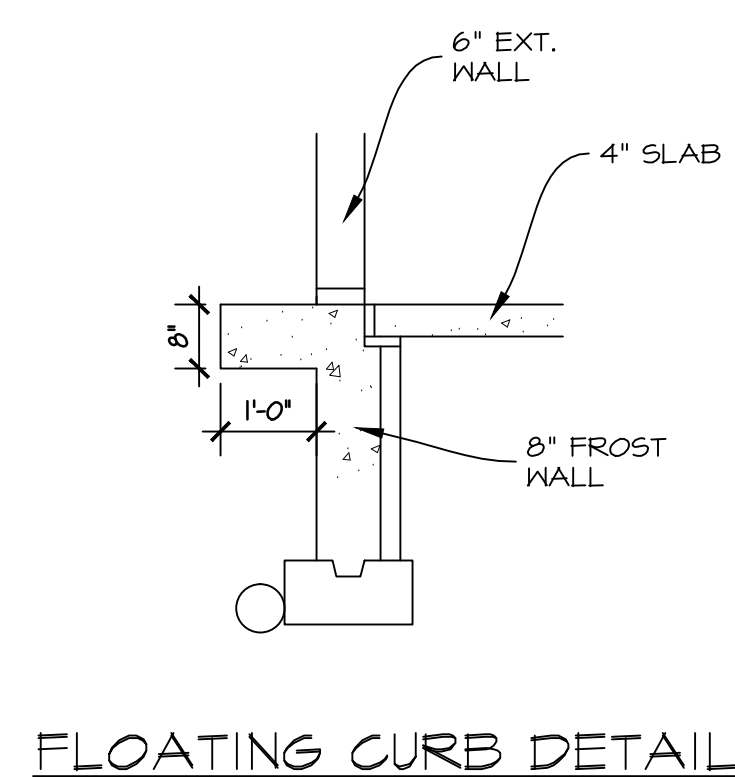
SHEET NUMBER	SHEET
--------------	-------



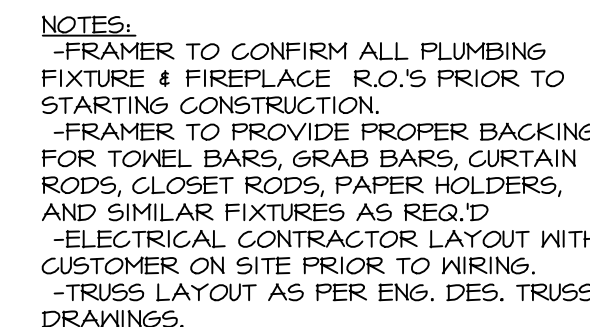








**NOTE:**  
-STRUCTURAL ENGINEER TO CONFIRM ALL FOOTINGS, FOUNDATION WALLS BEAMS, HEADERS, COLUMNS, BEARING WALLS, JOISTS, AND ANY OTHER STRUCTURAL COMPONENTS OF THE BUILDING.  
-CONFIRM ALL WALL THICKNESS, ECT. WITH STRUCTURAL DRAWINGS BEFORE PROCEEDING WITH FORMING.



LOUNGE = 256 SQ. FT.  
ENTRY = 88 SQ. FT.  
EATING = 256 SQ. FT.  
POUNDER = 42 SQ. FT.  
STORAGE = 93 SQ. FT.

NOTE:  
-STRUCTURAL ENGINEER TO CONFIRM ALL  
FOOTINGS, FOUNDATION WALLS BEAMS,  
HEADERS, COLUMNS, BEARING WALLS,  
JOISTS, AND ANY OTHER STRUCTURAL  
COMPONENTS OF THE BUILDING.

-CONFIRM ALL WALL THICKNESS, ECT  
WITH STRUCTURAL DRAWINGS BEFORE  
PROCEEDING WITH FORMING.



- EVAN GILBERT shall not be responsible for any variances between the structural drawings and specifications, or adjustments required resulting from conditions encountered at the job site, and is the sole responsibility of the owner or contractor.
- EVAN GILBERT makes every effort to provide complete and accurate construction drawings. However, we assume no liability for any errors or omissions which may affect construction. It is the responsibility of all trades and sub-trades to check and verify all drawings and conditions before beginning work on the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.

203-347 LEON AVENUE  
KELOWNA, B.C. V1Y 8C7  
TEL: (250) 763-7800  
FAX: (250) 861-4247

PROJECT TITLE

SHARKO RESIDENCE

DRAWING SCALE: 1/4" = 1'0"

DRAWN BY:

CHECKED BY:

APPROVED BY \_\_\_\_\_

SHEET NAME

BEACH  
PAVILION PLAN

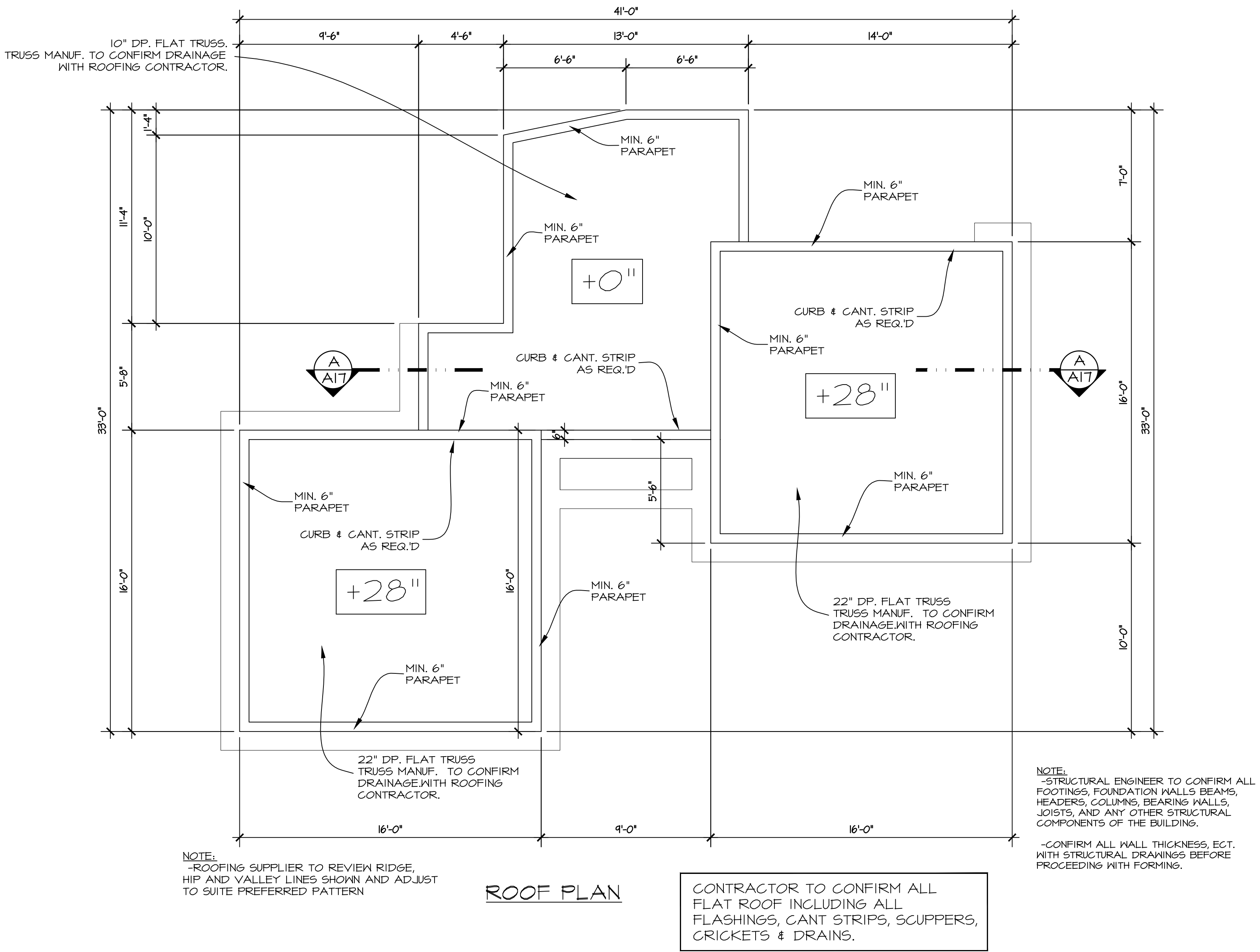
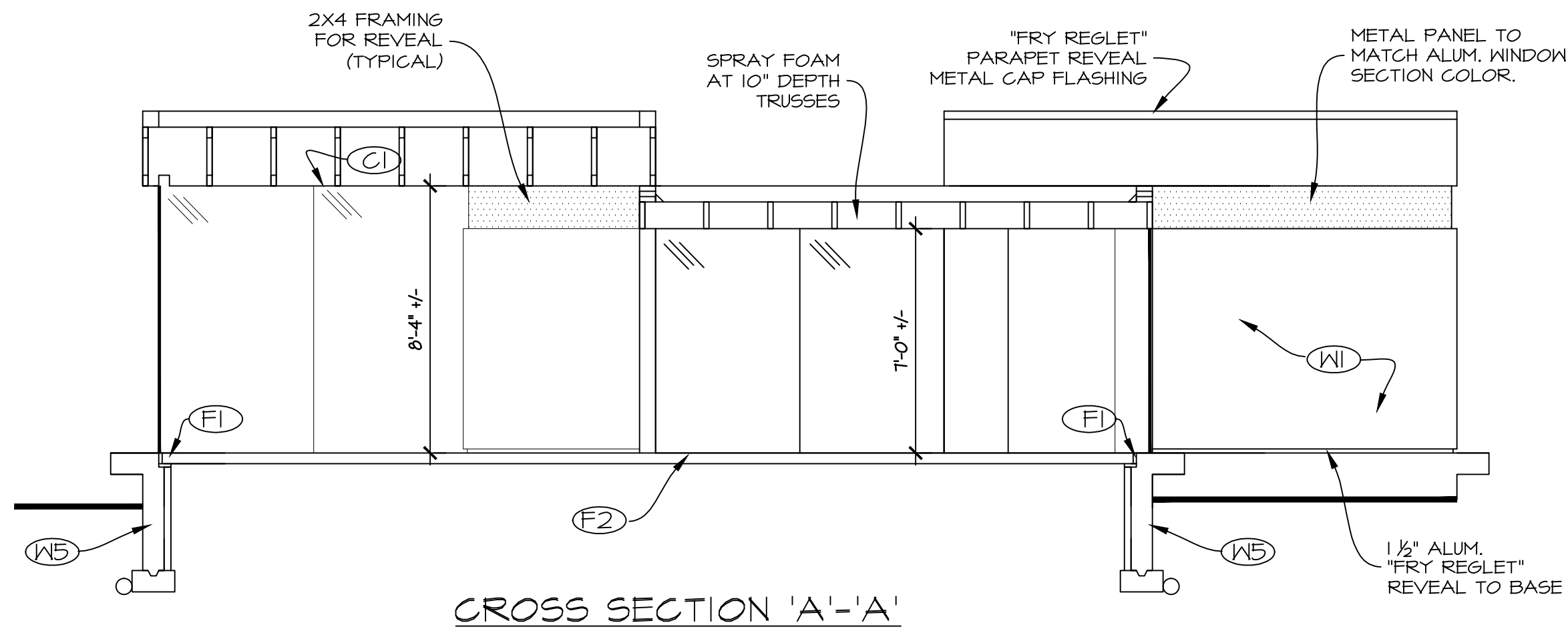
## PROGRESS FOR TENDER

REVISION	PLAN NO.
----------	----------

J	44
---	----

SHEET NUMBER	SHEET
--------------	-------

REVISIONS		
REV	DATE	DESCRIPTION
A	13/02/15	ISSUED FOR REVIEW
B	21/04/15	ISSUED FOR REVIEW
C	06/05/15	ISSUED FOR TENDER
D	20/05/15	ISSUED FOR TENDER
E	25/05/15	PLAN REVISIONS
F	09/07/15	ISSUED FOR PERMITS
G	21/08/15	PLAN REVISED
H	09/09/15	PLAN REVISED
I	28/09/15	PLAN REVISED
J	05/11/15	PAVILION / TERRACE
NOTE:		



#### ERRORS AND OMISSIONS

- EVAN GILBERT shall not be responsible for any variances from the structural drawings and specifications, or adjustments required resulting from conditions encountered at the job site, and is the sole responsibility of the owner or contractor.
- EVAN GILBERT makes every effort to provide complete and accurate construction drawings. However, we assume no liability for any errors or omissions which may affect construction. It is the responsibility of all trades and sub-trades to check and verify all dimensions and details before commencing with their portion of the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.

**CARL SCHOLL DESIGN INC.**  
203-347 LEON AVENUE  
KELOWNA, B.C. V1Y 8C7  
TEL: (250) 763-7800  
FAX: (250) 861-4247

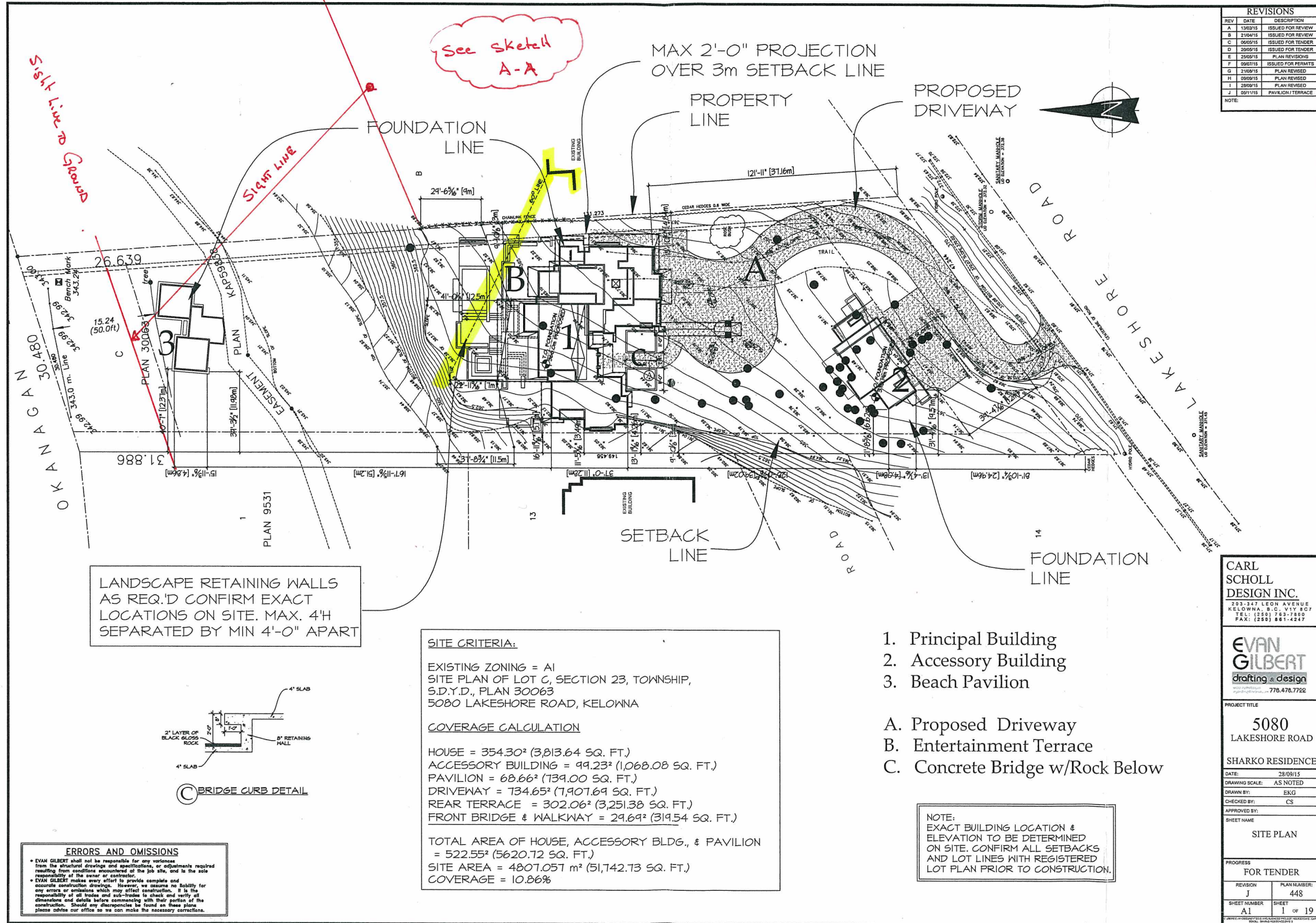
**EVAN GILBERT**  
drafting & design  
www.egdrafting.co  
egilbertg@outlook.com 778.478.7722

PROJECT TITLE  
**5080 LAKESHORE ROAD**  
**SHARKO RESIDENCE**  
DATE: 28/09/15  
DRAWING SCALE: 1/4" = 1'0"  
DRAWN BY: EKG  
CHECKED BY: CS  
APPROVED BY:  
SHEET NAME  
**BEACH PAVILION ROOF PLAN & SECTION**

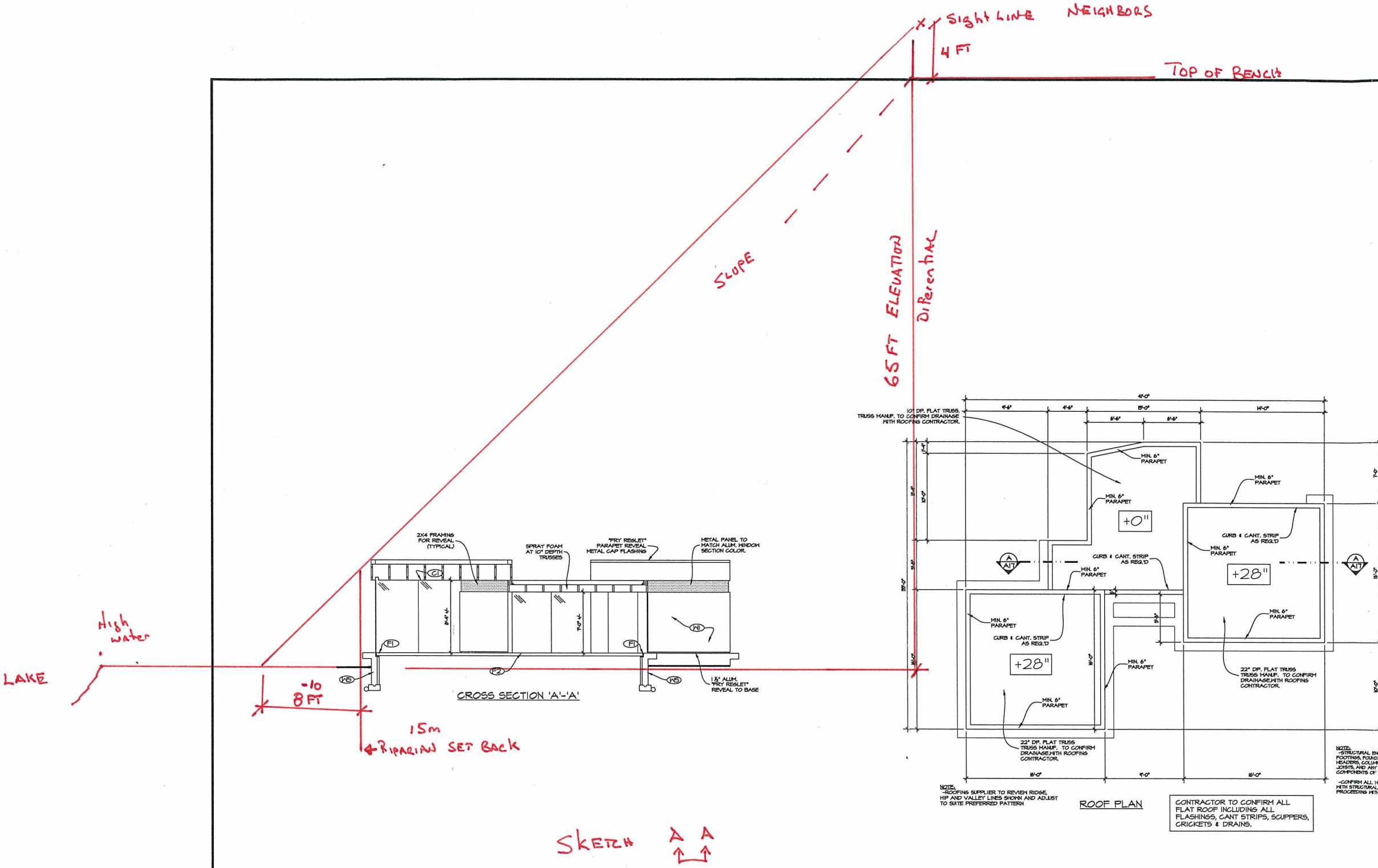
PROGRESS FOR TENDER	
REVISION J	PLAN NUMBER: 448
SHEET NUMBER A17	SHEET 17 OF 19

C:\projects\UNDO\0046\DP16-0046\B1-BUSINESS\PROJECT\ROOF\031646-CARL SCHOLL-5080 LAKESHORE.DWG









REVISIONS		
REV	DATE	DESCRIPTION
A	13/02/15	ISSUED FOR REVIEW
B	21/04/15	ISSUED FOR REVIEW
C	06/05/15	ISSUED FOR REVIEW
D	20/05/15	ISSUED FOR TENDER
E	20/05/15	PLAN REVISIONS
F	08/07/15	ISSUED FOR PERMITS
G	21/08/15	PLAN REVISED
H	09/09/15	PLAN REVISED
I	28/09/15	PLAN REVISED
J	09/11/15	PAVILION / TERRACE

CARL SCHOLL  
DESIGN INC.  
203-347 LEON AVENUE  
KELOWNA, B.C. V1Y 8C7  
TEL: (250) 763-7800  
FAX: (250) 861-4247

EVAN GILBERT  
drafting & design  
778.478.7722

PROJECT TITLE  
5080  
LAKESHORE ROAD

SHARKO RESIDENCE

DATE: 28/09/15  
DRAWING SCALE: 1/4" = 1'0"  
DRAWN BY: EKG  
CHECKED BY: CS

APPROVED BY:  
SHEET NAME  
BEACH PAVILION  
ROOF PLAN &  
SECTION

FOR TENDER	
REVISION	PLAN NUMBER:
J	448
SHEET NUMBER	SHEET
A17	17 OF 19

ERRORS AND OMISSIONS  
• EVAN GILBERT shall not be responsible for any variances from the structural drawings and specifications, or adjustments required resulting from conditions encountered at the job site, and is the sole responsibility of the owner or contractor.  
• EVAN GILBERT makes every effort to provide complete and accurate construction drawings. However, we assume no liability for any errors or omissions which may affect construction. It is the responsibility of all trades and sub-trades to check and verify all dimensions and details before commencing with their portion of the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.



# REPORT TO COUNCIL



**Date:** September 6, 2016

**RIM No.** 0940-50

**To:** City Manager

**From:** Community Planning Department (TB)

**Application:** DVP16-0147      **Owner:** Joan Marie Richter  
David Edward Richter

**Address:** 2296 Dewdney Road      **Applicant:** Garth Dirksen  
Steve Lea

**Subject:** Development Variance

**Existing OCP Designation:** S2RES - Single/Two Unit Residential

**Existing Zone:** RR3 - Rural Residential 3

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0147 for Lot 1 Section 20 Township 23 ODYD Plan EPP32546, located at 2296 Dewdney Road, Kelowna, BC;

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

**Section 12.3.6(b): RR3 - Rural Residential 3**

To vary the maximum height of an accessory building from 4.5m required to 7.5m proposed;

**Section 6.5.8(a): Accessory Development**

To vary the minimum front yard setback from 18.0m required to 0.32m proposed for an accessory building;

AND THAT a variance to the following schedule of the Subdivision, Development, and Servicing Bylaw No. 7900 be granted:

**Schedule 4: Design Standards - Highways: Section 4.6 Curb and Gutter, Sidewalks and Bike Lanes**

To vary the maximum driveway width from 6.0m required to 13.0m proposed;

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

## 2.0 Purpose

To vary the maximum height and front yard setback for an accessory building, and to vary the maximum driveway width on the subject property to facilitate the development of a carport.

## 3.0 Community Planning

Community Planning staff support the proposed variances for the development of a 3 stall carport on the subject property.

The subject property is located on a steep slope along Okanagan Lake and therefore there are natural and environmental conditions that prevent the carport from being sited so as not to require variances. The impact on the neighbourhood will be minimal as the highest portion of the carport faces Okanagan Lake and is not visible from the road.

The driveway is located on a rural road with no sidewalks, curbs, or gutters, and there is limited traffic on this street as it ends in a cul-de-sac.

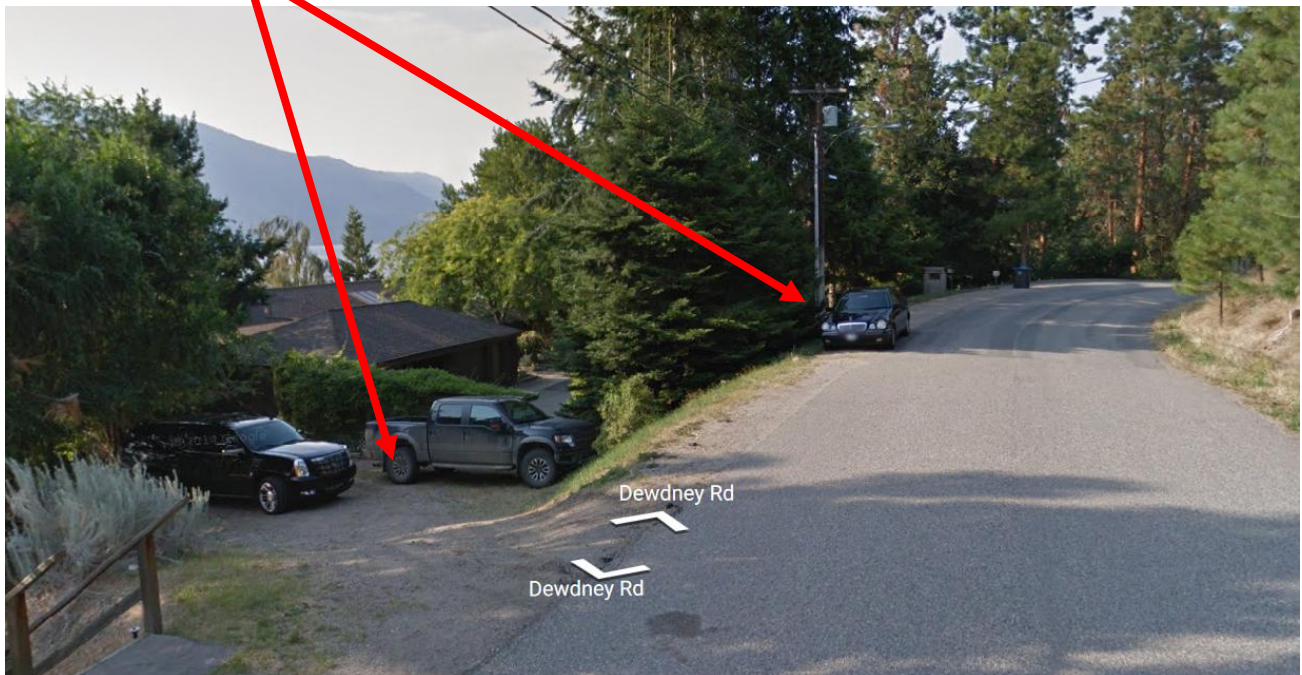
In accordance with Council Policy #367 regarding neighbourhood consultation, the applicant completed consultation on July 13<sup>th</sup>, 2016 by hand delivering drawings to all neighbours within 50m.

## 4.0 Proposal

### 4.1 Background

The subject property is located on the shore of Okanagan Lake on the west side of Dewdney Road. The majority of the property is steeply sloped from the road down to the lake with the lower portion of the property protected by a riparian zone.

In 1963 the home was constructed on one of the only buildable areas without a garage, just outside the riparian zone. Currently, the owners park along the side of the road, or on a gravel pad located next to the road.



## 4.2 Project Description

The proposed carport will provide 2 covered parking stalls and 1 uncovered. Underneath the parking area is an unfinished storage area with no windows and a side entrance. The entrance to the carport will be at the grade of the road and the height of the peak of the roof measured from this grade is 2.81m as visible from the road. As the property slopes towards the lake, the height of the peak of the roof measured from the west (lakeside) elevation is 7.5m which requires a height variance (4.5m required). This variance will have minimal impact on adjacent properties as the maximum height is not visible from the road and faces toward the home and the lake on the subject property.

The proposal includes rock finish and tiered retaining walls with landscaping to beautify the building and provide minimal impact on adjacent neighbours (*image below is an example of the proposed materials and finishes from a nearby address*).



Although the road frontage is along Dewdney Road, the houses in this area are situated to face the lake, therefore siting the carport in the front yard setback is consistent with the use of the property and ensures there is no impact on Okanagan Sight-Lines from adjacent properties.

Due to the close proximity of the carport to the front property line, there is no opportunity to have a taper in the driveway to reduce the width to the required 6.0m while providing 3 parking stalls. Dewdney Road ends in a cul-de-sac therefore the amount of traffic and speed of traffic on this portion of the road is low. There is no curb, sidewalk, or gutter on Dewdney Road that would require any civic works for the 13.0m driveway. It is anticipated that by providing parking on the property, the need for parking on the side of the road will be eliminated.

## 4.3 Site Context

The subject property is located on the shore of Okanagan Lake on the west side of Dewdney Road. The access to this neighbourhood is through McKinley Landing, and Dewdney Road ends in a cul-de-sac. The majority of homes in this area are older homes and cabins and are mostly used for vacationing rather than full-time dwellings.



Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR3 - Rural Residential 3	Residential
East	RR3 - Rural Residential 3	Residential
South	RR3 - Rural Residential 3	Residential
West		Okanagan Lake

Subject Property Map:



#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RR3 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1 ha	1238 m <sup>2</sup>
Lot Width	18.0 m	18.23 m
Lot Depth	30.0 m	~49.5 m
Development Regulations		
Floor Area	173 m <sup>2</sup>	121.7 m <sup>2</sup>
Site Coverage of Accessory Building	14%	9.8%
Height	4.5 m	7.5 m <sup>1</sup>
Front Yard	18.0 m	0.32 m <sup>2</sup>
Side Yard (south)	1.2 m	1.2 m
Side Yard (north)	1.2 m	4.32 m
Other Regulations		
Minimum Parking Requirements	2 stalls	3 stalls
Maximum Driveway Width	6.0 m	13.0 m <sup>3</sup>



- ① Indicates a requested variance to maximum height.
- ② Indicates a requested variance to front yard setback.
- ③ Indicates a requested variance to maximum driveway width.

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

Chapter 12.5.1 Natural Environment DP - Urban Development: Require that development take place outside riparian management areas.<sup>1</sup>

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications

### 6.2 Development Engineering Department

Please see Attachment "A" dated June 29, 2016

### 6.3 FortisBC Electric

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Dewdney Road. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

Otherwise, FBC(E) has no concerns with this circulation.

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction

### 6.4 Glenmore Ellison Improvement District

Please see Attachment "B" dated June 9, 2016

## 7.0 Application Chronology

Date of Application Received:	May 31, 2016
Date Public Consultation Completed:	July 13, 2016

Report prepared by:

---

Trisa Brandt, Planner I

---

<sup>1</sup> City of Kelowna Official Community Plan Chapter 12.5.1

**Reviewed by:**



Terry Barton, Urban Planning Manager

**Approved for Inclusion:**



Ryan Smith, Community Planning Department Manager

**Attachments:**

Attachment "A" dated June 29, 2016

Attachment "B" dated June 9, 2016

Draft Development Variance Permit DVP16-0147

Schedule "A": Site Plan and Floor Plans

Schedule "B": Conceptual Elevations



---

**CITY OF KELOWNA**  
**MEMORANDUM**

---

**Date:** July 25, 2016  
**File No.:** DVP16-0147  
**To:** Community Planning (TB)  
**From:** Development Engineering Manager (SM)  
**Subject:** 2296 Dewdney Rd

---

The Development Engineering comments and requirements regarding this development variance application are as follows:

1. General.
  - a) The proposed variance for the maximum driveway width does not meet Bylaw 7900 requirements.
  - b) The proposed height variance and front yard setback variance does not compromise Municipal Infrastructure.

---

Purvez Irani, MS, P.Eng, PTOE.  
Development Engineering Manager  
JF



Phone: 250-763-6506

**Glenmore-Ellison Improvement District**

445 Glenmore Road  
Kelowna, BC V1V 1Z6

Email: [glenmore.ellison@shaw.ca](mailto:glenmore.ellison@shaw.ca)  
Website: [www.glenmoreellison.com](http://www.glenmoreellison.com)

<b>ATTACHMENT B</b>	
This forms part of development	
Permit #	<b>DVP16-0147</b>
Planner Initials	<b>TB</b>
 <b>City of Kelowna</b> COMMUNITY PLANNING	

Fax: 250-763-5688

OUR FILE No.: 156  
CITY OF KELOWNA FILE No.: DVP16-0147  
P.I.D.: 029-159-539

June 9, 2016

City of Kelowna  
Community Planning and Real Estate  
1435 Water Street  
Kelowna, BC V1Y1J4

Attention: Trisa Brandt (via email: [TBrandt@kelowna.ca](mailto:TBrandt@kelowna.ca); [planninginfo@kelowna.ca](mailto:planninginfo@kelowna.ca))


**Re: Development Variance Permit Application for three variances on a proposed accessory building (front yard setback, maximum height and maximum driveway width) at 2296 Dewdney Road, Lot 1, Plan EPP32546  
City of Kelowna File DVP16-0147**

---

Glenmore-Ellison Improvement District (GEID) has received a referral from the City of Kelowna for the above noted property. GEID does not require fees and conditions prior to Variance approved. Please note that applications for new development proposing to utilize the GEID water system must proceed in compliance with GEID bylaws, regulations and policy. It is our understanding that the proposed accessory building will not require water; there GEID has no concerns with respect to this application.

If you have any questions on this matter, please to contact the undersigned.

Sincerely,  
**GLENMORE-ELLISON  
IMPROVEMENT DISTRICT**

  
John Bartell, ASCT, B.Sc.  
Manager of Engineering and Operations

cc: Applicant: Garth Dirksen (via email: [garthdirksen@gmail.com](mailto:garthdirksen@gmail.com))  
Owner: David and Joan Richter (via mail: RR#6, 4606 Westridge Drive, Kelowna, B.C. V1Y 8R3)



# DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT NO. DVP16-0147

Issued To: Joan Marie Richter  
David Edward Richter  
Site Address: 2296 Richter Street  
Legal Description: Lot 1 Section 20 Township 23 ODYD Plan EPP32546  
Zoning Classification: RR3 - Rural Residential 3

## 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. DP16-0147 for Lot 1 Section 20 Township 23 ODYD Plan EPP32546, located at 2296 Dewdney Road, Kelowna, BC to allow the construction of an accessory building 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, as shown on Schedules "A" and "B":

### Section 12.3.6(b): RR3 - Rural Residential 3

To vary the maximum height of an accessory building from 4.5m required to 7.5m proposed;

### Section 6.5.8(a): Accessory Development

To vary the minimum front yard setback from 12.0m required to 0.32m proposed for an accessory building;

AND THAT a variance to the following schedule of the Subdivision, Development, and Servicing Bylaw No. 7900 be granted:

**Schedule 4: Design Standards - Highways: Section 4.6 Curb and Gutter, Sidewalks and Bike Lanes**

To vary the maximum driveway width from 6.0m required to 13.0m proposed

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

## **2. 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.

---

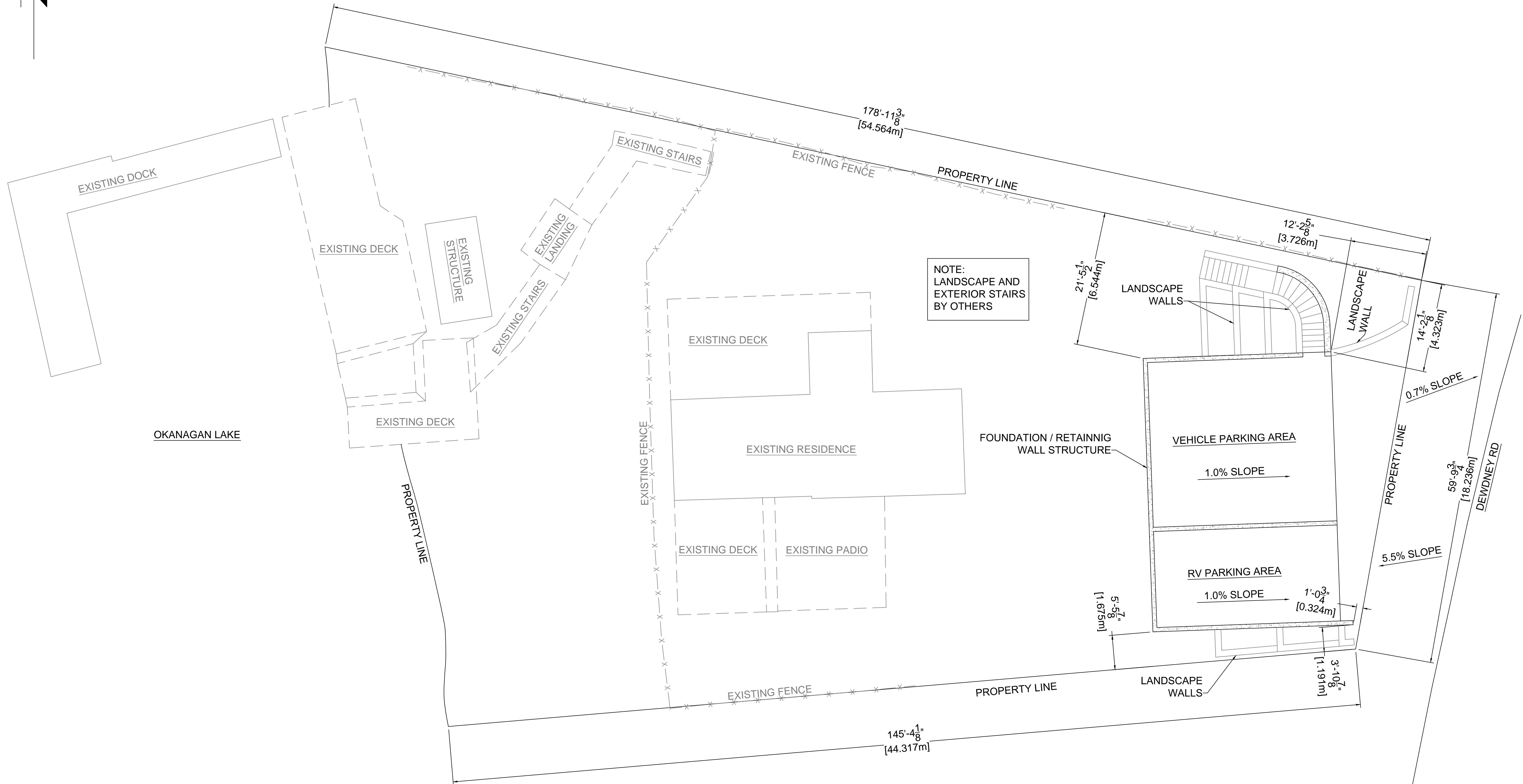
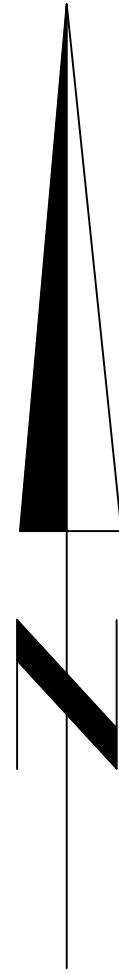
Ryan Smith, Community Planning Department Manager  
Community Planning & Real Estate

---

Date

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





SCHEDULEA

This forms part of development  
Permit # DVP16-0147

Planner  
Initials TB

City of Kelowna

CITY PLANNING

press developments

PROJECT DESIGN & DEVELOPMENT

BOX 6151

FORT ST. JOHN, BC, V1J 4H7

(250) 329-7515

steve@pressdevelopments.com

THE DRAWINGS AND DIMENSIONS AS SHOWN ARE BASED ON ESTIMATED EXISTING CONDITIONS AND MEASUREMENTS. ALL DESIGNS AND DIMENSIONS HEREIN ARE SUBJECT TO CHANGE PER ACTUAL AND CONFIRMED SITE CONDITIONS AND MEASUREMENTS.

OWNER AND CONTRACTOR TO VERIFY ALL DIMENSIONS, STRUCTURAL DETAILS, BUILDING CODES, AND GRADE REQUIREMENTS.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE DESIGNER OF ANY DIMENSIONAL ERRORS, OMISSIONS, OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

OWNER WILL TAKE NECESSARY PRECAUTIONS TO REMOVE OR RELOCATE ITEMS OF VALUE TO BE REUSED AND / OR SAVED, OR IN ANY DANGER OR BEING DAMAGED DUE TO CONSTRUCTION PROCESS.

ISSUES		
No.	DATE	DESCRIPTION
1	22/01/16	REVIEW
2	09/03/16	PERMIT

REVISIONS		
No.	DATE	DESCRIPTION
A	28/04/16	RETAINING WALLS

PROJECT

CLIENT

DRAWING TITLE

PARKING RETAINING WALLS

POMEROY

SITE PLAN

DATE	JANUARY 22, 2016
SCALE	1/8" = 1'-0"
DRAWN	SWL
PROJECT No.	14006
DRAWING No.	

A1

OWNER WILL TAKE NECESSARY PRECAUTION TO REMOVE OR RELOCATE ITEMS OF VALUE TO BE REUSED AND / OR SAVED, OR IN ANY DANGER OR BEING DAMAGED DUE TO CONSTRUCTION PROCESS.

# A2



THE DRAWINGS AND DIMENSIONS AS SHOWN ARE BASED ON ESTIMATED EXISTING CONDITIONS AND MEASUREMENTS. ALL DESIGNS AND DIMENSIONS HEREIN ARE SUBJECT TO CHANGE PER ACTUAL AND CONFIRMED SITE CONDITIONS AND MEASUREMENTS.

OWNER AND CONTRACTOR TO VERIFY ALL DIMENSIONS, STRUCTURAL DETAILS, BUILDING CODES, AND GRADE REQUIREMENTS.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE DESIGNER OF ANY DIMENSIONAL ERRORS, OMISSIONS, OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

OWNER WILL TAKE NECESSARY PRECAUTIONS TO REMOVE OR RELOCATE ITEMS OF VALUE TO BE REUSED AND / OR SAVED, OR IN ANY DANGER OR BEING DAMAGED DUE TO CONSTRUCTION PROCESS.

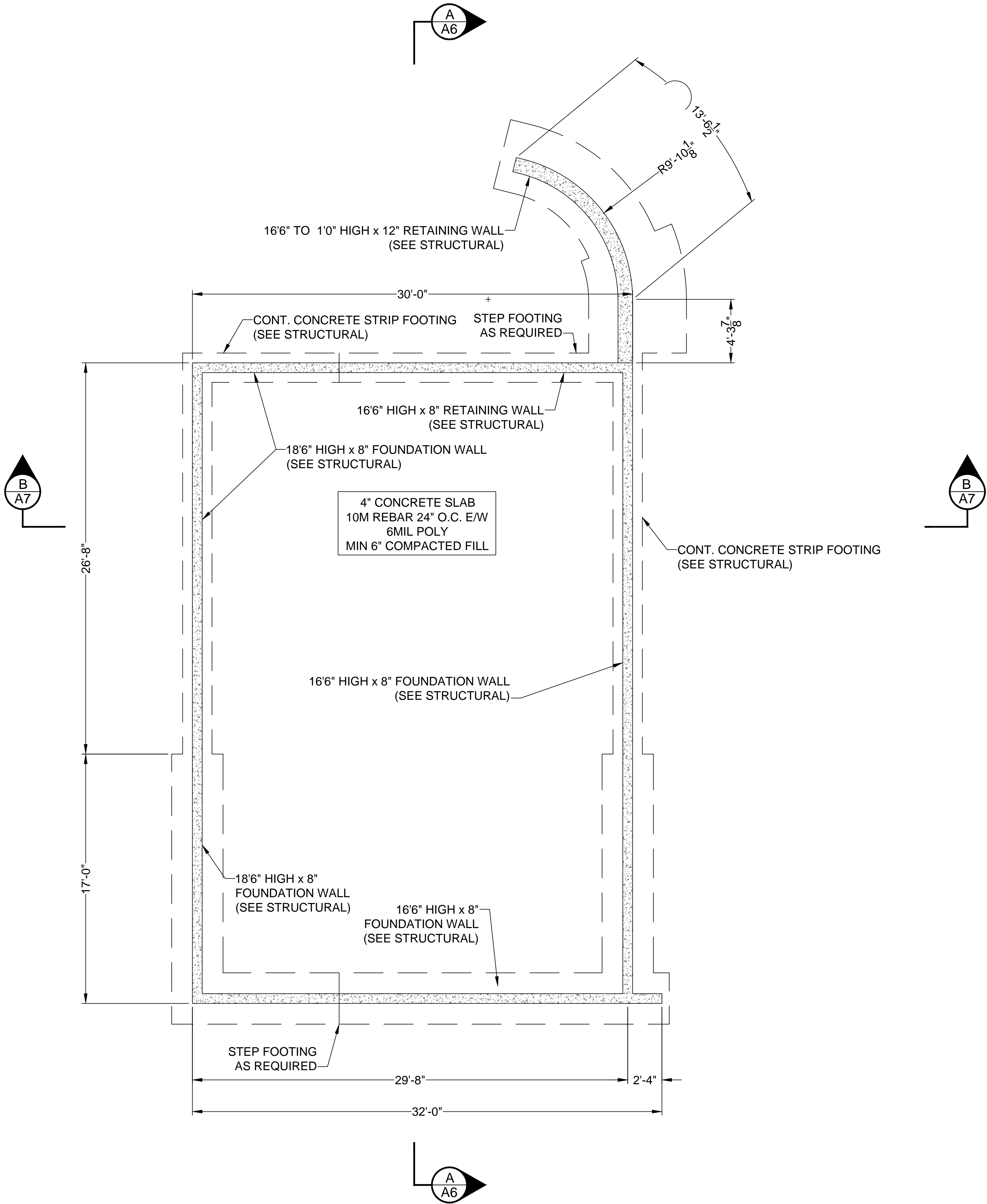
ISSUES		
No.	DATE	DESCRIPTION
1	22/01/16	REVIEW
2	09/03/16	PERMIT

REVISIONS		
No.	DATE	DESCRIPTION
A	28/04/16	RETAINING WALLS

PROJECT	PARKING RETAINING WALLS	
	CLIENT	POMEROY
	DRAWING TITLE	FOUNDATION

DATE	JANUARY 22, 2016
SCALE	1/4" = 1'-0"
DRAWN	SWL
PROJECT No.	14006
DRAWING No.	

A3





SCHEDULE

A

This forms part of development

Permit # DVP16-0147

Planner

Initials

TB

City of

Kelowna

COMMUNITY PLANNING

press

developments

PROJECT DESIGN & DEVELOPMENT

BOX 6151

FORT ST. JOHN, BC, V1J 4H7

(250) 329-7515

steve@pressdevelopments.com

THE DRAWINGS AND DIMENSIONS AS SHOWN ARE BASED ON ESTIMATED EXISTING CONDITIONS AND MEASUREMENTS. ALL DESIGNS AND DIMENSIONS HEREIN ARE SUBJECT TO CHANGE PER ACTUAL AND CONFIRMED SITE CONDITIONS AND MEASUREMENTS.

OWNER AND CONTRACTOR TO VERIFY ALL DIMENSIONS, STRUCTURAL DETAILS, BUILDING CODES, AND GRADE REQUIREMENTS.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE DESIGNER OF ANY DIMENSIONAL ERRORS, OMISSIONS, OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

OWNER WILL TAKE NECESSARY PRECAUTIONS TO REMOVE OR RELOCATE ITEMS OF VALUE TO BE REUSED AND / OR SAVED, OR IN ANY DANGER OR BEING DAMAGED DUE TO CONSTRUCTION PROCESS.

ISSUES

No.	DATE	DESCRIPTION
1	22/01/16	REVIEW
2	09/03/16	PERMIT

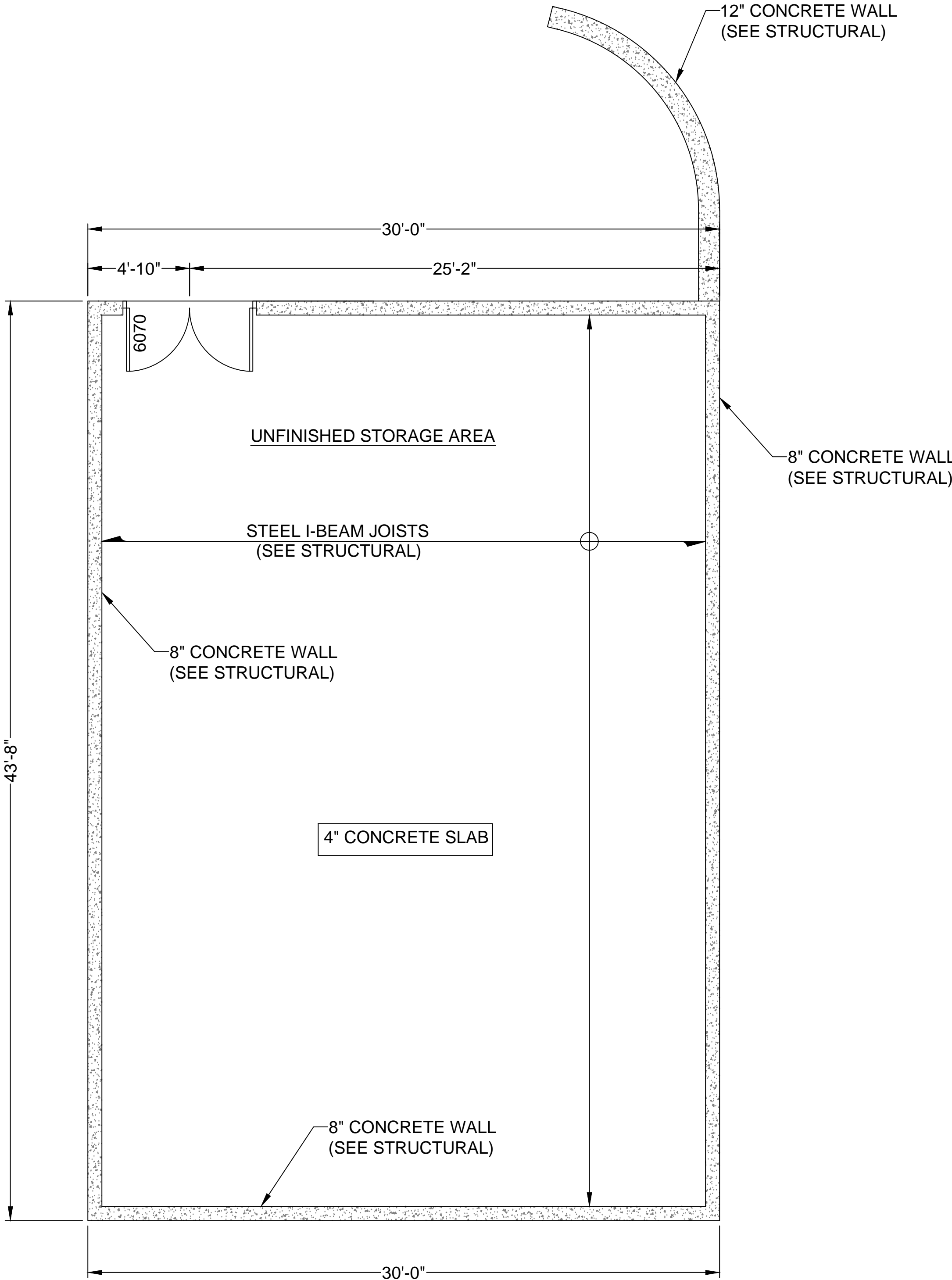
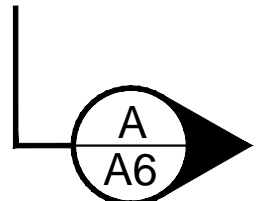
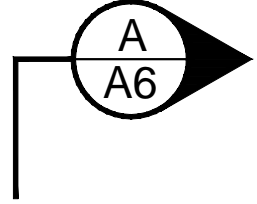
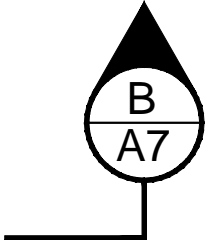
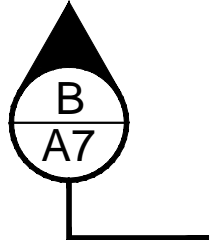
REVISIONS

No.	DATE	DESCRIPTION
A	28/04/16	RETAINING WALLS

PROJECT	PARKING RETAINING WALLS
CLIENT	POMEROY
DRAWING TITLE	UN-FINISHED STORAGE LEVEL

DATE	JANUARY 22, 2016
SCALE	1/4" = 1'-0"
DRAWN	SWL
PROJECT No.	14006
DRAWING No.	

A4



THE DRAWINGS AND DIMENSIONS AS SHOWN ARE BASED ON ESTIMATED EXISTING CONDITIONS AND MEASUREMENTS. ALL DESIGNS AND DIMENSIONS HEREIN ARE SUBJECT TO CHANGE PER ACTUAL AND CONFIRMED SITE CONDITIONS AND MEASUREMENTS.

OWNER AND CONTRACTOR TO VERIFY ALL DIMENSIONS, STRUCTURAL DETAILS, BUILDING CODES, AND GRADE REQUIREMENTS.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE DESIGNER OF ANY DIMENSIONAL ERRORS, OMISSIONS, OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

OWNER WILL TAKE NECESSARY PRECAUTIONS TO REMOVE OR RELOCATE ITEMS OF VALUE TO BE REUSED AND / OR SAVED, OR IN ANY DANGER OR BEING DAMAGED DUE TO CONSTRUCTION PROCESS.

ISSUES

No.	DATE	DESCRIPTION
1	22/01/16	REVIEW
2	09/03/16	PERMIT

REVISIONS

No.	DATE	DESCRIPTION
A	28/04/16	RETAINING WALLS

PROJECT PARKING RETAINING WALLS

CLIENT POMEROY

DRAWING TITLE

PARKING LEVEL

DATE JANUARY 22, 2016

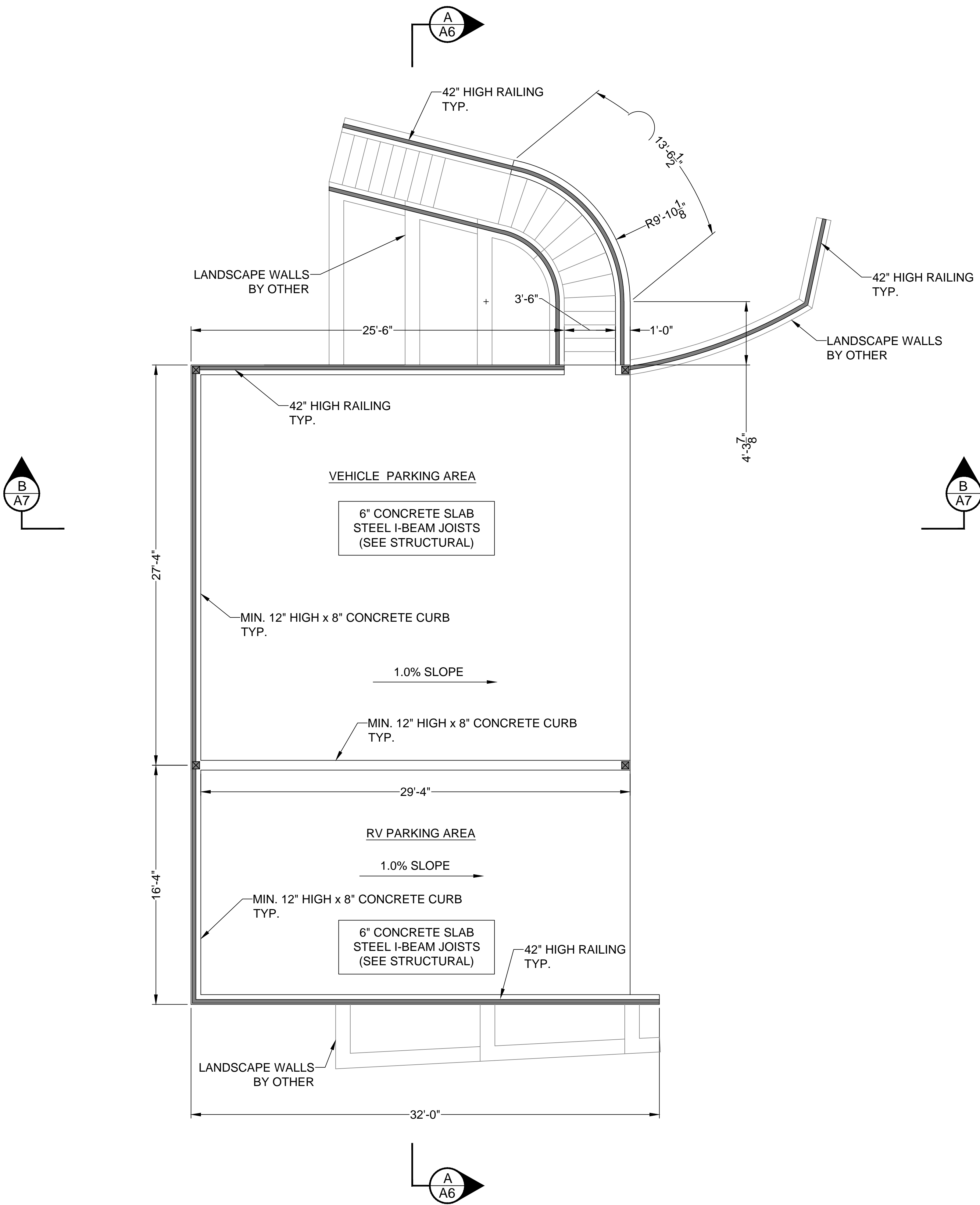
SCALE 1/4" = 1'-0"

DRAWN SWL

PROJECT No. 14006

DRAWING No.

A5



THE DRAWINGS AND DIMENSIONS AS SHOWN ARE BASED ON ESTIMATED EXISTING CONDITIONS AND MEASUREMENTS. ALL DESIGNS AND DIMENSIONS HEREIN ARE SUBJECT TO CHANGE PER ACTUAL AND CONFIRMED SITE CONDITIONS AND MEASUREMENTS.

OWNER AND CONTRACTOR TO VERIFY ALL DIMENSIONS, STRUCTURAL DETAILS, BUILDING CODES, AND GRADE REQUIREMENTS.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE DESIGNER OF ANY DIMENSIONAL ERRORS, OMISSIONS, OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

OWNER WILL TAKE NECESSARY PRECAUTIONS TO REMOVE OR RELOCATE ITEMS OF VALUE TO BE REUSED AND / OR SAVED, OR IN ANY DANGER OR BEING DAMAGED DUE TO CONSTRUCTION PROCESS.

ISSUES

No.	DATE	DESCRIPTION
1	22/01/16	REVIEW
2	09/03/16	PERMIT

REVISIONS

No.	DATE	DESCRIPTION
A	28/04/16	RETAINING WALLS

PROJECT  
PARKING RETAINING WALLS

CLIENT  
POMEROY

DRAWING  
TITLE  
CARPORT ROOF

DATE  
JANUARY 22, 2016

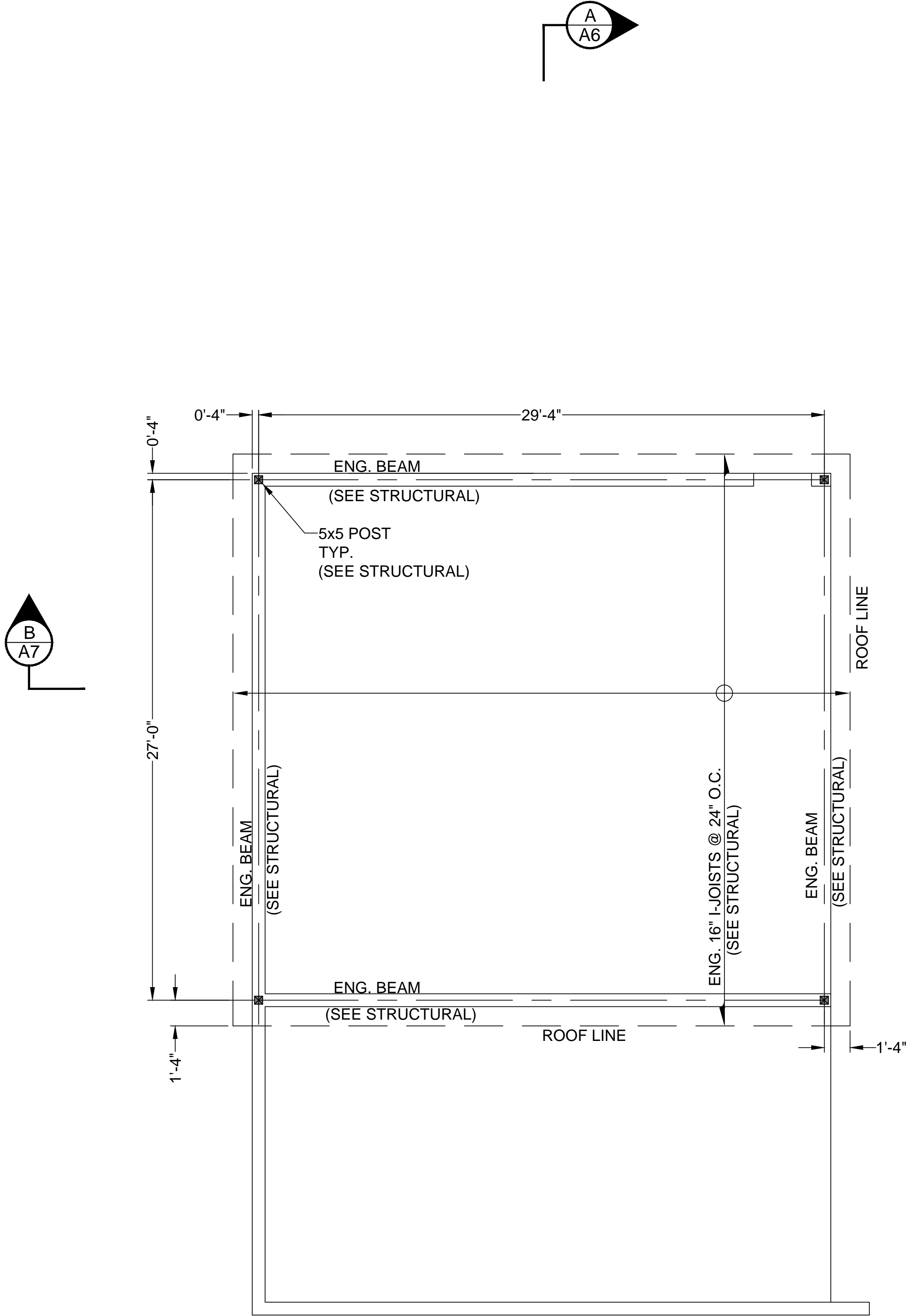
SCALE  
1/4" = 1'-0"

DRAWN  
SWL

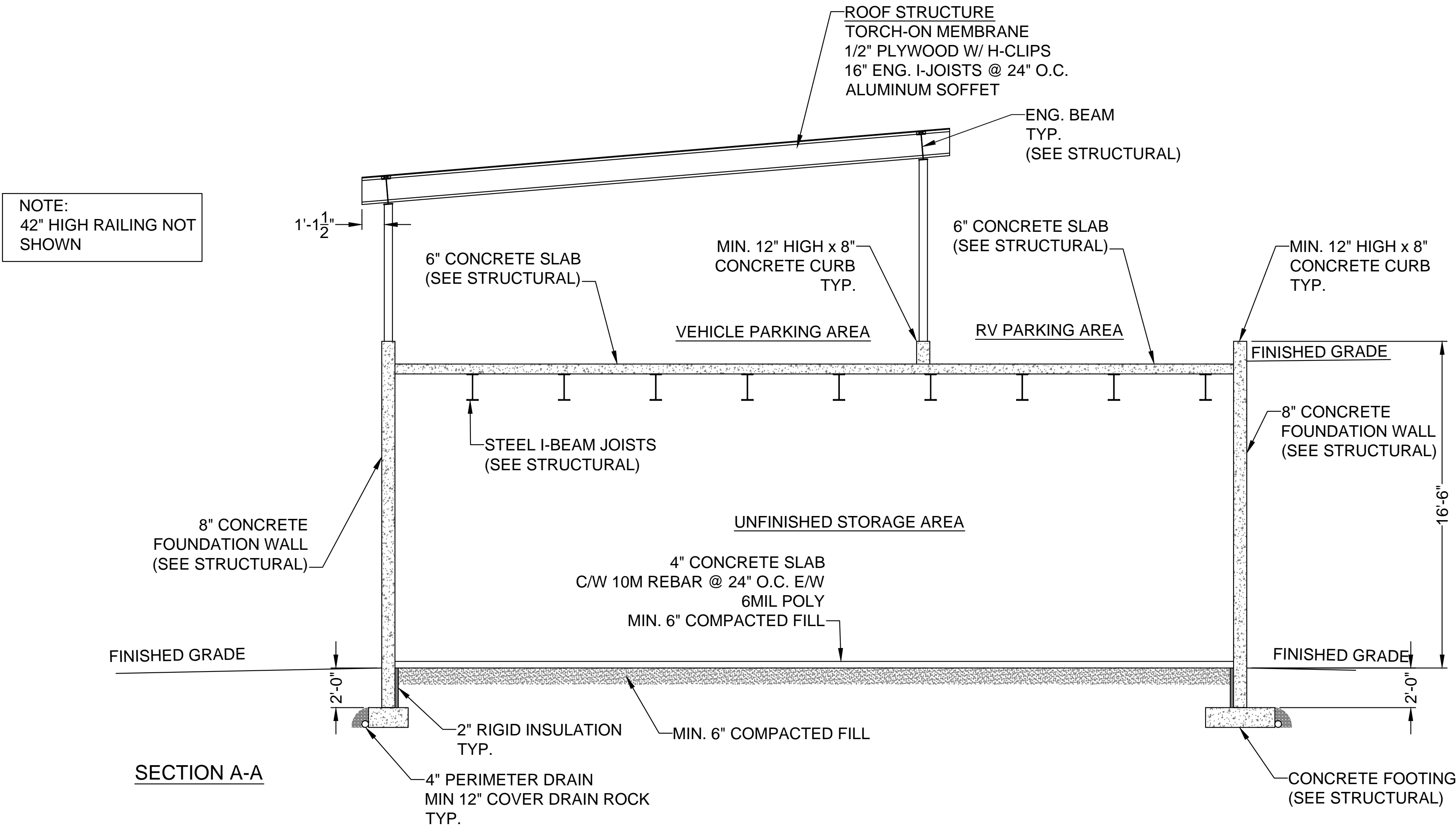
PROJECT  
No. 14006

DRAWING  
No.

A6







THE DRAWINGS AND DIMENSIONS AS SHOWN ARE BASED ON ESTIMATED EXISTING CONDITIONS AND MEASUREMENTS. ALL DESIGNS AND DIMENSIONS HEREIN ARE SUBJECT TO CHANGE PER ACTUAL AND CONFIRMED SITE CONDITIONS AND MEASUREMENTS.

OWNER AND CONTRACTOR TO VERIFY ALL DIMENSIONS, STRUCTURAL DETAILS, BUILDING CODES, AND GRADE REQUIREMENTS.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE DESIGNER OF ANY DIMENSIONAL ERRORS, OMISSIONS, OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

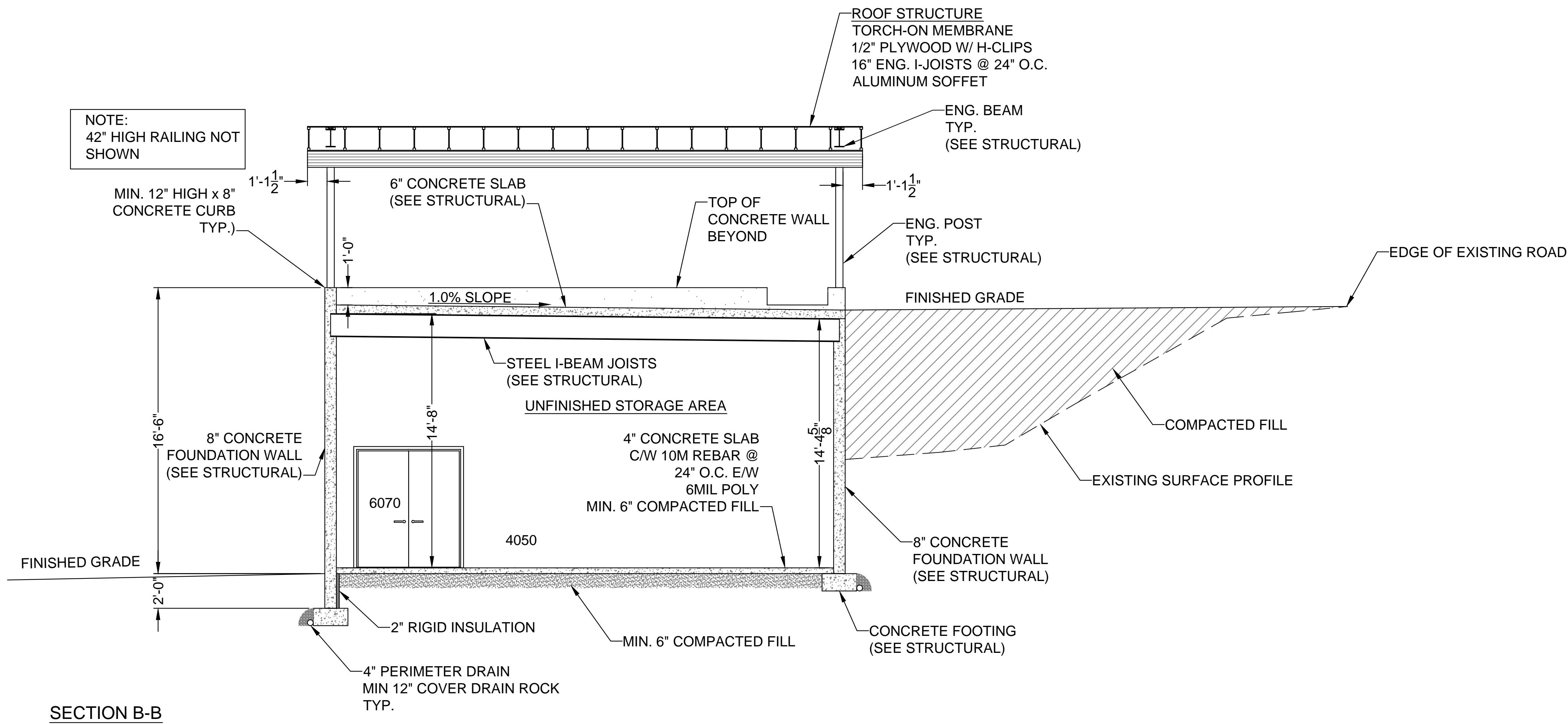
OWNER WILL TAKE NECESSARY PRECAUTIONS TO REMOVE OR RELOCATE ITEMS OF VALUE TO BE REUSED AND / OR SAVED, OR IN ANY DANGER OR BEING DAMAGED DUE TO CONSTRUCTION PROCESS.

ISSUES		
No.	DATE	DESCRIPTION
1	22/01/16	REVIEW
2	09/03/16	PERMIT

REVISIONS		
No.	DATE	DESCRIPTION
A	28/04/16	RETAINING WALLS

PROJECT	PARKING RETAINING WALLS	
	CLIENT	POMEROY
DRAWING TITLE	SECTION A-A	

DATE	JANUARY 22, 2016
SCALE	1/4" = 1'-0"
DRAWN	SWL
PROJECT No.	14006
DRAWING No.	



THE DRAWINGS AND DIMENSIONS AS SHOWN ARE BASED ON ESTIMATED EXISTING CONDITIONS AND MEASUREMENTS. ALL DESIGNS AND DIMENSIONS HEREIN ARE SUBJECT TO CHANGE PER ACTUAL AND CONFIRMED SITE CONDITIONS AND MEASUREMENTS.

OWNER AND CONTRACTOR TO VERIFY ALL DIMENSIONS, STRUCTURAL DETAILS, BUILDING CODES, AND GRADE REQUIREMENTS.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE DESIGNER OF ANY DIMENSIONAL ERRORS, OMISSIONS, OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

OWNER WILL TAKE NECESSARY PRECAUTIONS TO REMOVE OR RELOCATE ITEMS OF VALUE TO BE REUSED AND / OR SAVED, OR IN ANY DANGER OR BEING DAMAGED DUE TO CONSTRUCTION PROCESS.

ISSUES		
No.	DATE	DESCRIPTION
1	22/01/16	REVIEW
2	09/03/16	PERMIT

REVISIONS		
No.	DATE	DESCRIPTION
A	28/04/16	RETAINING WALLS

PROJECT	PARKING RETAINING WALLS	
	CLIENT	POMEROY
	DRAWING TITLE	SECTION B-B

DATE	JANUARY 22, 2016
SCALE	1/4" = 1'-0"
DRAWN	SWL
PROJECT No.	14006
DRAWING No.	