

City of Kelowna

Regular Council Meeting

AGENDA



Tuesday, December 1, 2015
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 - 6
Public Hearing - November 17, 2015
Regular Meeting - November 17, 2015
4. **Bylaws Considered at Public Hearing**
 - 4.1 **BL11163 (TA15-0014) - Amendment to RM4 - Transitional Low Density Housing** 7 - 8
To Bylaw No. 11163 second and third readings in order to amend the Zoning Bylaw by adding the provision to increase the maximum floor area ratio for development in an Urban Centre to the RM4 zone.
 - 4.2 **1295 St. Paul Street, BL11162 (Z15-0023) - ML Holdings Inc.** 9 - 9
To give Bylaw No. 11162 second and third readings in order to rezone the subject property to facilitate the development of a four-unit townhouse project.
 - 4.3 **260 Davie Road, BL11164 (Z15-0047) - Urban Cottage Homes Ltd.** 10 - 10
To give Bylaw No. 11164 second and third readings in order to rezone the subject property to facilitate the development of a second dwelling on the subject parcel.
 - 4.4 **125 Dundas Road & 815 Highway 33 W, BL11165 (Z15-0046) - Unico One Developments Ltd.** 11 - 11
To give Bylaw No. 11165 second and third readings in order to rezone the subject properties.

4.5 305 Homer Road, BL11166 (Z15-0049) - Davara Holdings Ltd.

12 - 12

To give Bylaw No. 11166 second and third readings in order to rezone the subject property.

5. Notification of Meeting

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

6. Development Permit and Development Variance Permit Reports

6.1 265 Poplar Point Drive, DVP15-0227 - John Pushor & Alison Kyte

13 - 34

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 building height and the minimum rear yard setback on the subject property.

7. Reminders

8. Termination



City of Kelowna Public Hearing Minutes

Date: Tuesday, November 17, 2015
Council Chamber
Location: City Hall, 1435 Water Street

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; Deputy City Clerk, Karen Needham; Community Planning Department Manager, Ryan Smith; Council Recording Secretary, Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the Hearing to order at 6:02 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 Deputy City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on November 3, 2015 and by being placed in the Kelowna Capital News issues on November 6 and 11, 2015 and by sending out or otherwise delivering 233 statutory notices to the owners and occupiers of surrounding properties, and 701 informational notices to residents in the same postal delivery route, between November 3 and 6, 2015.

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 1570 Glenmore Road North, BL11161 (Z15-0037) - Aletta Nixon

Staff:

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

The Deputy City Clerk advised that no correspondence 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.

Applicant:

- Present and available for questions.

No one came forward.

There were no further comments.

4. Termination

The Hearing was declared terminated at 6:13 p.m.

Mayor

/acm



Deputy City Clerk

DRAFT



City of Kelowna

Regular Council Meeting Minutes

Date: Tuesday, November 17, 2015
Location: Council Chamber
City Hall, 1435 Water Street

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; Deputy City Clerk, Karen Needham; Community Planning Department Manager, Ryan Smith; Council Recording Secretary, Arlene McClelland

(* Denotes partial attendance)

1. **Call to Order**

Mayor Basran called the meeting to order at 6:13 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 Gray

R896/15/11/17 THAT the Minutes of the Public Hearing and Regular Meeting of November 3, 2015 be confirmed as circulated.

Carried

4. **Bylaws Considered at Public Hearing**

4.1 1570 Glenmore Road North, BL11161 (Z15-0037) - Aletta Nixon

Moved By Councillor Gray/Seconded By Councillor Donn

R897/15/11/17 THAT Bylaw No. 11161 be read a second and third time.

Carried

5. **Notification of Meeting**

The Deputy City Clerk advised that Notice of Council's consideration of these Development Variance Permit Applications was given by sending out or otherwise delivering 90 statutory notices to the owners and occupiers of surrounding properties, and 1932 informational notices to residents in the same postal delivery route, between November 3 and 6, 2015.

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

6. Development Permit and Development Variance Permit Reports

6.1 4077 Lakeshore Road, BL11136 (OCP15-0011) - Greencorp. Ventures Inc.

Moved By Councillor Gray/Seconded By Councillor Donn

R898/15/11/17 THAT Bylaw No. 11136 be adopted.

Carried

6.2 4077 Lakeshore Road, BL11137 (Z15-0031) - Greencorp Ventures Ltd.

Moved By Councillor Given/Seconded By Councillor Gray

R899/15/11/17 THAT Bylaw No. 11137 be adopted.

Carried

6.3 4077 Lakeshore Road, DP15-0137 & DVP15-0138 - Greencorp. Ventures Inc.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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

Letters of Opposition or Concern

J.M. Stone, 631 Pimlico Road

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

Applicant:

- Present and available for questions.

No one came forward.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor DeHart

R890/15/11/17 THAT final adoption of Official Community Plan Amendment Bylaw No. 11136 and Rezoning Bylaw No. 11137 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP15-0137 for Lot B Section 6 Township 26 ODYD Plan 10613, Located at 4077 Lakeshore 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";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to pose with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT Council authorizes the issuance of Development Variance permit No. DVP15-0138 for Lot B Section 6 Township 26 ODYD Plan 10613, Located at 4077 Lakeshore Road, Kelowna, BC;

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

Section 6.4.1: General Development Regulations Projections Into Yards

- A) To vary the required maximum projection into a yard from 0.6 m required to 1.2 m proposed and the required maximum length of a projection from 3.0 m required to 13.1 m proposed for the side yard (south).

Section 13.9.6 (f) - RM3 - Low Density Multiple Housing Development Regulations

- B) To vary the required minimum rear yard from 7.5 m required to 4.0 m proposed.

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

6.4 799 McClure Road, DVP15-0217 - Michael Young & Susan Wood-Young

Staff:

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

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

Letters of Opposition or Concern

Jeff McKinley & Andrea Honey, McClure Road

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

Applicant

- Present and available for questions.

Gallery:

Jeff McKinley, McClure Road

- Spoke to the photos and correspondence y submitted to Council.
- Does not feel he was consulted regarding the application as he only received a piece of correspondence in the mailbox by the Applicant.
- All other lots in the neighbourhood are large and this proposal will create a smaller lot which does not conform with the neighbourhood.
- Raised concern with lack of privacy and enjoyment of yard.
- Opposed to this application.

Mike Young, Applicant

- Owner of the property.
- Noted that the lots meet all requirements for zoning.
- Intention is to build a two storey house. There is a 7 metre rear yard setback required that cannot be part of the development.
- Responded to questions from Council.

Staff:

- Confirmed that in this case the rear yard setback provides more of a buffer than if it was a side yard setback.
- Confirmed that after subdivision both lots will meet the minimum RU1 zoning.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Donn

R891/15/11/17 THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0217 for Lot 5, District Lot 357, ODYD, Plan 17105, located at 799 McClure Road, Kelowna, BC;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A":

Section 13.1.6(e): RU1 - Large Lot Housing Development Regulations

To vary the required minimum rear yard from 7.5 m permitted to 4.8 m proposed.

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

Carried

7. Reminders - Nil

8. Termination

The meeting was declared terminated at 6:44 p.m.

Mayor

/acm



Deputy City Clerk

CITY OF KELOWNA
BYLAW NO. 11163
TA15-0014 - Amendment to RM4 - Transitional Low Density Housing

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, **Section 13.10 RM4 - Transitional Low Density Housing, Section 13.10.6 Development Regulations** be amended by deleting sub-paragraph (a) that reads:

“(a) The maximum floor area ratio is 0.65. Where parking spaces are provided totally beneath habitable space of a principal building or beneath useable common amenity areas providing that in all cases, the parking spaces are screened from view, an amount may be added to the floor area ratio equal to 0.2 multiplied by the ratio of such parking spaces to the total required parking spaces, but in no case shall this amount exceed 0.20.”

And replace it with:

“(a) The maximum floor area ratio is 0.65. Where parking spaces are provided totally beneath habitable space of a principal building, beneath useable common amenity areas or in a garage or carport providing that in all cases, the parking spaces are screened from view, an amount may be added to the floor area ratio equal to 0.2 multiplied by the ratio of such parking spaces to the total required parking spaces, but in no case shall this amount exceed 0.20.”

The floor area ratio may be increased by a further 0.3 for a development constructed in an Urban Centre (as defined by Kelowna’s Official Community Plan).”

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 9th day of November, 2015.

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. 11162
Z15-0023 - ML Holdings Inc., Inc. No. BC0825079
1295 St Paul Street

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 25, District Lot 139, ODYD, Plan 1303 located on St Paul Street, Kelowna, B.C., from the RU2 - Medium Lot Housing zone to the RM4 - Transitional Low Density Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 9th day of November, 2015.

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. 11164
Z15-0047 - Urban Cottage Homes Ltd., Inc. No. 1009440
260 Davie 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 4, Section 22, Township 26, ODYD, Plan 18085 located on Davie Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 9th day of November, 2015.

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. 11165
Z15-0046 - Unico One Developments Ltd., Inc. No.
BC0990537
125 Dundas Road and 815 Hwy 33 W

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, Section 22, Township 26, ODYD, Plan 19344 Except Plan 39372 located on Hwy 33 W, Kelowna, B.C. and Lot B, Section 22, Township 26, ODYD, Plan 19344 Except Plan 39372 located on Dundas Road, Kelowna, BC, from the RU1 - Large Lot Housing zone to the RM5 - Medium Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 16th day of November, 2015.

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. 11166
Z15-0049 - Davara Holdings Ltd., Inc. No. BC0797640
305 Homer 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 1, Section 27, Township 26, ODYD, Plan 18004 located on Homer Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 16th day of November, 2015.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: December 1, 2015
RIM No. 0940-50
To: City Manager
From: Community Planning Department (LK)
Application: DVP15-0227 **Owner:** John Pushor & Alison Kyte
Address: 265 Poplar Point Drive **Applicant:** John Pushor
Subject: Development Variance Permit
Existing OCP Designation: S2RES - Single / Two Unit Residential
Existing Zone: RU1 - Large Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0227 for Lot 1 District Lot 219 ODYD Plan 10072, located at 265 Poplar Point Drive, Kelowna, BC;

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

Section 13.1.6 (b): RU1 - Large Lot Housing Development Regulations

To vary the height of a building from 9.5 m maximum to 10.47 m proposed.

Section 13.1.6 (e): RU1 - Large Lot Housing Development Regulations

To vary the rear yard setback from 7.5 m minimum to 4.0 m proposed.

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

2.0 Purpose

To vary the maximum building height and the minimum rear yard setback on the subject property.

3.0 Community Planning

Community Planning Staff supports the requested variances to the maximum building height and the minimum rear yard setback on the subject parcel to facilitate the construction of a new single family dwelling. The height variance for the dwelling allows the design of the house to naturally respond to the sloped topography of the parcel. The rear yard setback variance is requested due to the steep slope at the rear of the parcel. This enables the house to be located closer to the rear shared property line which will maximize the front and side yards. The rear yard setback will be similar to the adjacent parcels side setback.

The subject parcel has a Future Land Use of S2RES - Single / Two Unit Residential, therefore the application meets the guidelines of the Official Community Plans (OCP). The OCP supports sensitive infill development to reflect the character of the neighbourhood with respect to building design, height and siting.

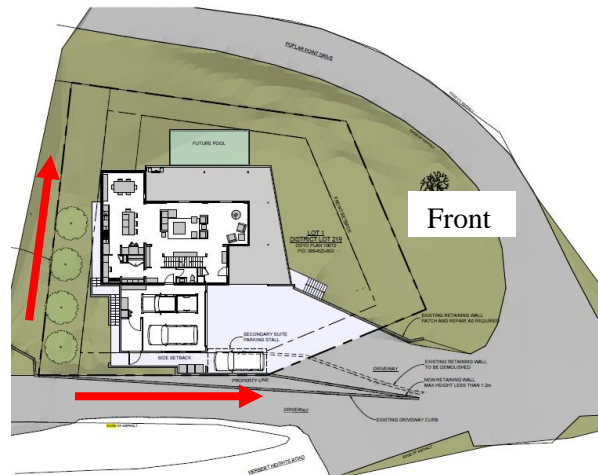
4.0 Proposal

4.1 Project Description

The applicant is proposing to build a new single detached dwelling on the subject parcel which is located at the intersection of Poplar Point Drive and Herbert Heights Road. This is an irregular shaped parcel with three street frontages. The rear of the parcel shares a property line with the side of 265 Poplar Point Drive. The parcel slopes significantly in two directions from Herbert Heights Road down to Poplar Point Road and from the rear property line down to the front of the parcel along Poplar Point Drive (indicated below with red arrows). This limits the buildable area of the parcel and brings about the two requested variances.

A secondary suite is proposed on the lower level, which meets all zoning bylaw regulations including floor area, private open space and parking requirements.

The rear setback variance is requested along the shared property line with 265 Poplar Point Drive. The minimum 7.5m rear yard setback is generally intended to provide a dwelling with a large, useable open space. Due to the slope of the subject parcel, the rear setback area is too steep to serve this purpose. The proposal is treating this area as a side setback by reducing it to 4.0m. This is similar to the adjacent parcels existing side setback. The useable open space for this parcel is along the front and side of Poplar Point Drive. This area will provide front and side setbacks well in excess of the Zoning Bylaw requirements as well as providing a useable open space area.



The second variance is for the maximum height of the proposed building. The house is designed as a walkout to the front of the parcel due to the slope. Zoning Bylaw 8000 specifically indicates that walkout basements oriented to the rear of a parcel will not be considered for determining the height of the building. This regulation does not apply to a front walkout scenario, therefore the variance is required. The maximum height of a dwelling is 9.50m and the application is proposing a height of 10.47m. Due to the specific site conditions, the height variance will not negatively impact surrounding parcels. Across Herbert Heights Road is Knox Mountain with hiking trails located well above. The existing adjacent dwelling is well screened with a significant amount of trees and shrubs providing privacy for both dwellings along the shared property line. No sitelines to Okanagan lake are impacted. The existing homes located across Poplar Point Drive are situated well below the roadway level. The homes are not visible from the roadway and will not be affected by the requested variance.

Front elevation - Poplar Point Drive



Side elevation - Poplar Point Drive



4.2 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Family Dwelling
East	P3 - Parks and Open Space	Knox Mountain park
South	P3 - Parks and Open Space	Knox Mountain park
West	RU1 - Large Lot Housing	Single Family Dwelling

Subject Property Map: 265 Poplar Point Drive



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	550 m ²	918.10 m ²
Minimum Lot Width	30 m	m
Minimum Lot Depth	30 m	m

Development Regulations		
Maximum Site Coverage (buildings)	40%	31%
Maximum Site Coverage (buildings, driveways and parking)	50%	43.3%
Maximum Height	9.5m	10.47m ❶
Minimum Front Yard	4.5m	8.5m
Minimum Side Yard (east)	2.3m	2.3m
Minimum Side Yard (west)	2.3m	6.0m
Minimum Rear Yard	7.5m	4.0m ❷
Other Regulations		
Minimum Parking Requirements	3 stalls	2 stalls for dwelling 1 stall for secondary suite
Minimum Private Open Space	30m ²	63m ² for secondary suite
❶ Indicates a requested variance to the building height from 9.5m maximum to 10.47m proposed. ❷ Indicates a requested variance to the rear setback area from 7.5m minimum to 4.0m proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Sensitive Infill.¹ 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.

Context Considerations.² Set buildings into the hillside and step up or down the slope to mimic the natural topography.

6.0 Technical Comments

6.1 Building & Permitting Department

- Factory built housing and components to be certified by a Standards Council of Canada accredited agency prior to placement on the site, as complying with Canadian Standards Association Standard A277, "Procedure for Certification of Factory Built Houses".

6.2 Development Engineering Department

- See Attachment 'A' below.

6.3 Real Estate and Building Services

- Prior to constructing any new improvements (such as a retaining wall) in the road right-of-way, the land owner will need to sign a letter as provided by the City's Real Estate department acknowledging the fact that any improvements may be removed at any time in the future without compensation if the roadway is required for municipal purposes.

¹ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 14.1.3 (Urban Design DP Areas Chapter).

7.0 Application Chronology

Date of Application Received: September 15, 2015
Date Public Consultation Completed: October 24, 2015

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by:

☐

Terry Barton, Urban Planning Manager

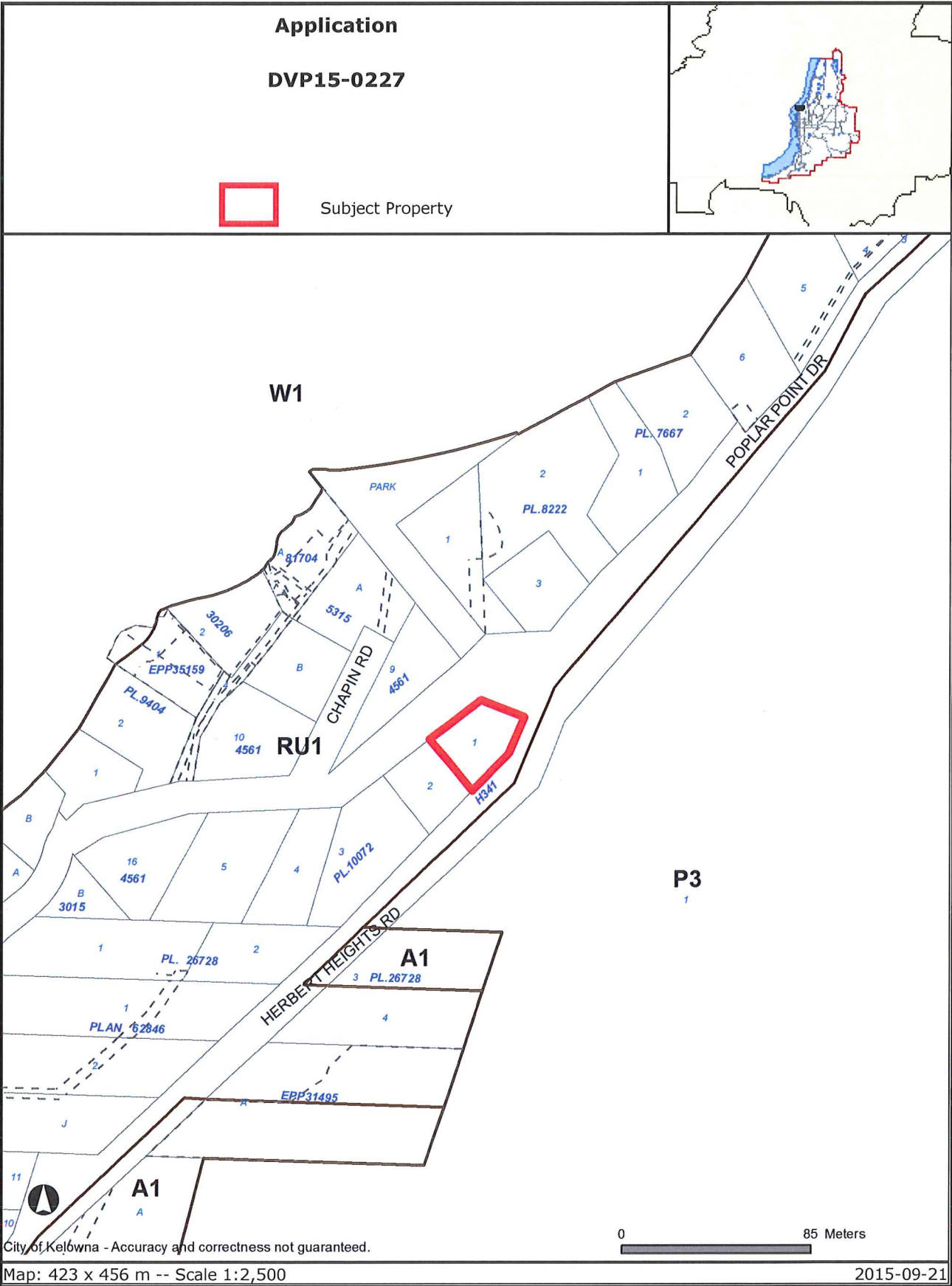
Approved for Inclusion:

☐

Ryan Smith, Community Planning Department Manager

Attachments:

Site Context Map
Schedule A - Site Plan & Landscape Plan
Schedule B - Conceptual Elevations
Attachment 'A' - Development Engineering Memorandum
Draft Development Variance Permit



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

☐ Development Permit No.:

DVP15-0227

EXISTING ZONING DESIGNATION:

RU1 - Large Lot Housing

WITHIN DEVELOPMENT PERMIT AREA:

Comprehensive & Natural Environment Development Permit Area

ISSUED TO: John Pushor & Alison Kyte

LOCATION OF SUBJECT SITE: 265 Poplar Point Drive

	LOT	DISTRICT LOT	Township	DISTRICT	PLAN
LEGAL DESCRIPTION:	1	219		ODYD	10072

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.
- ☐ Applicants for a Heritage Alteration Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.

1. TERMS AND CONDITIONS:

- a) Variances to the following sections of the Zoning Bylaw No. 8000 be granted:

Section 13.1.6 (b): RU1 - Large Lot Housing Development Regulations

To vary the height of a building from 9.5 m maximum to 10.47 m proposed.

Section 13.1.6 (e): RU1 - Large Lot Housing Development Regulations

To vary the rear yard setback from 7.5 m minimum to 4.0 m proposed.

2. The Development Permit is valid for TWO YEARS from the date of the approval with no opportunity to extend.

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 which shall form a part hereof.

If the Permittee does not commence the development Permitted by this Permit within two year of the date of this Permit, this Permit shall lapse.

This Permit is not transferrable unless specifically Permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

THIS Permit IS NOT A BUILDING Permit.

4. PERFORMANCE SECURITY:

N/A

5. APPLICANT'S AGREEMENT:

I hereby declare that all 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 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 Director of Planning & Development Services.

Should there be any change in ownership or legal description of the property, I undertake to notify the Land Use Management 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

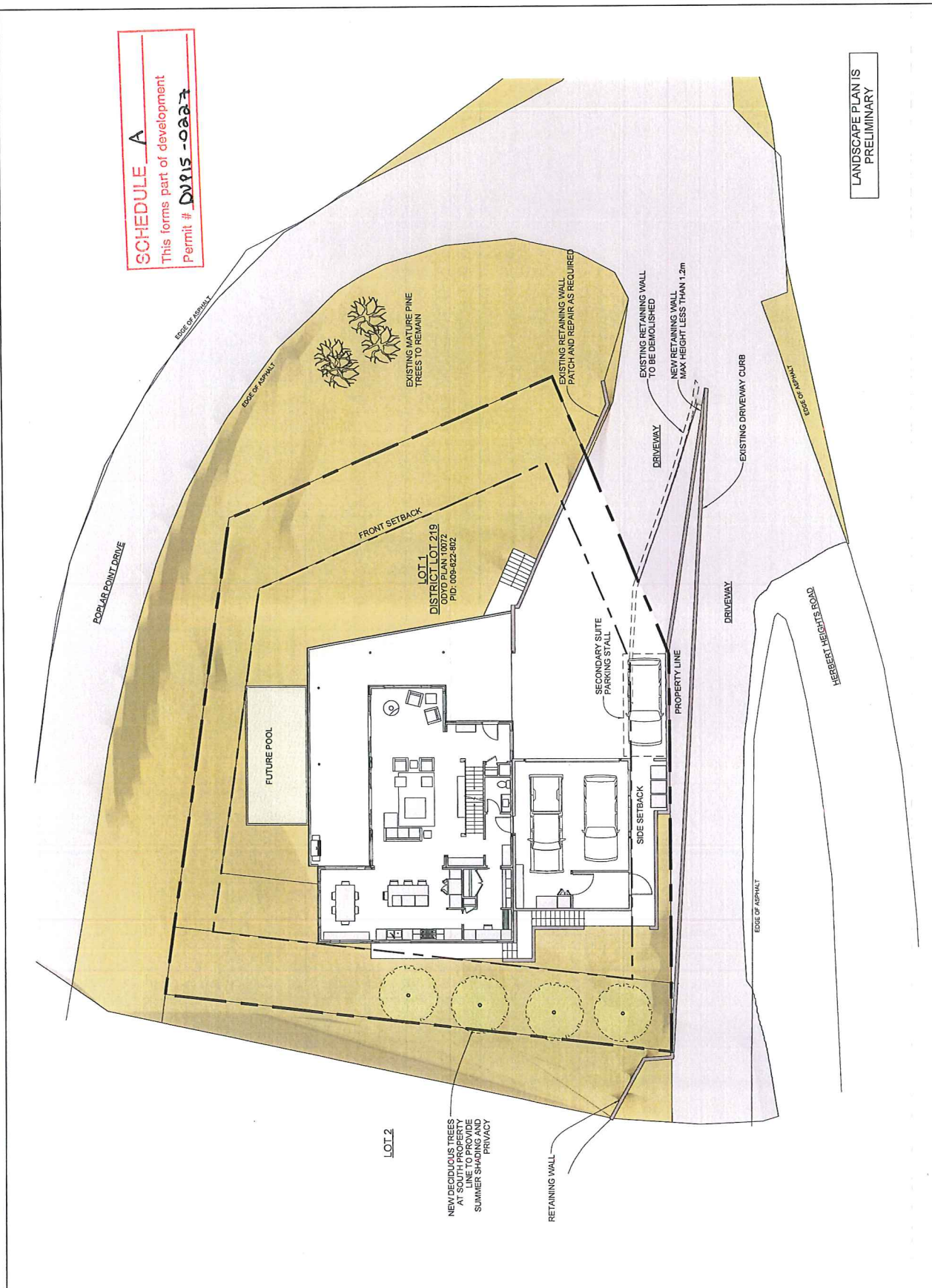
Print Name in Bold Letters

Telephone No.

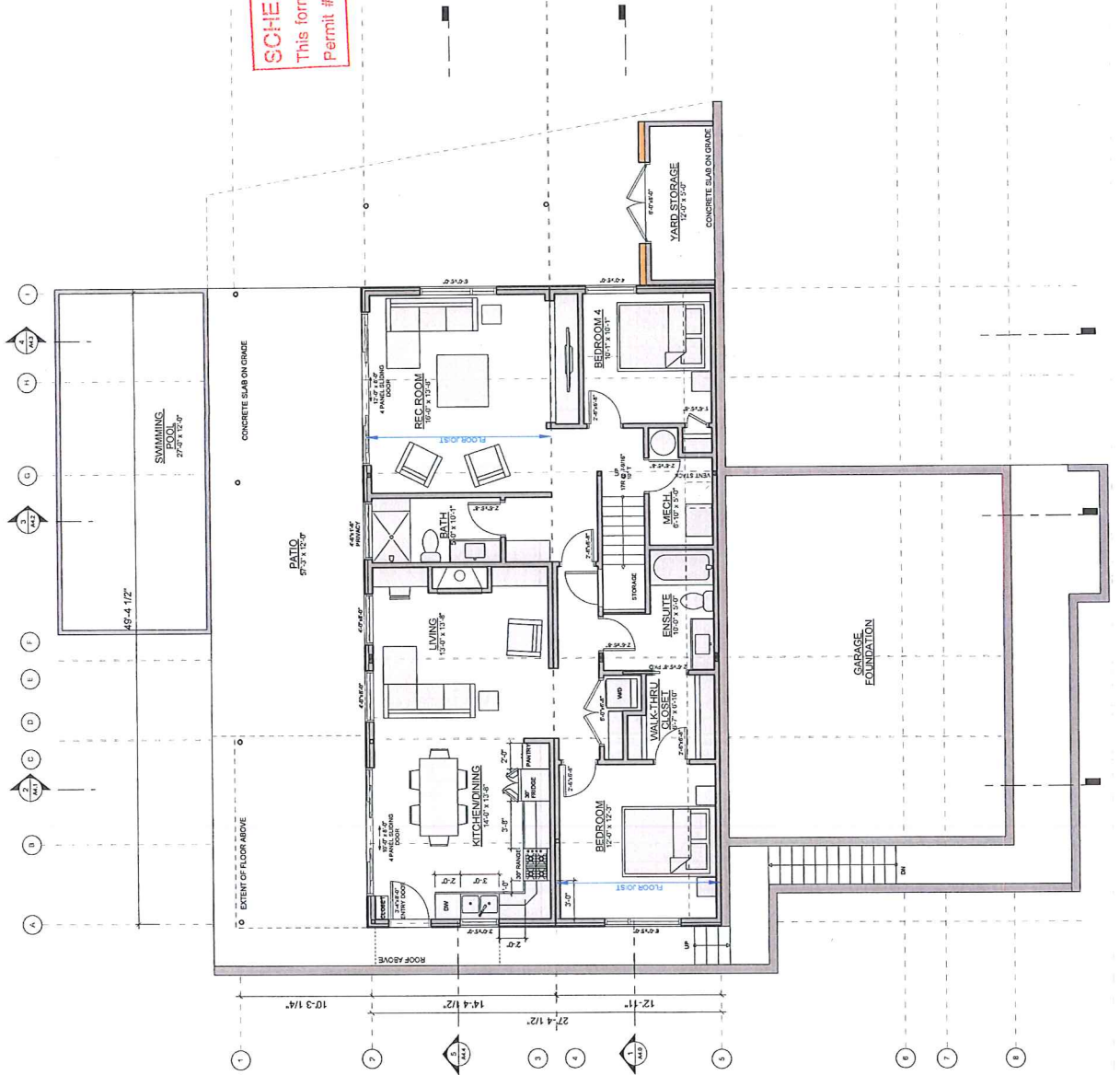
6. APPROVALS:

ISSUED BY THE COMMUNITY PLANNING DEPARTMENT OF THE CITY OF KELOWNA THE ____ DAY OF ____ 2015, BY THE
MANAGER OF URBAN PLANNING.

Ryan Smith,
Manager of Community Planning



SCHEDULE A
This forms part of development
Permit # **015-0227**



FLOOR AREA SUMMARY			
	NET	GROSS	BALCONY
Main Floor	1,386 sq ft	1,386 sq ft	648 sq ft
Upper Floor	1,420 sq ft	1,420 sq ft	941 sq ft
Garage	1,414 sq ft	1,414 sq ft	1,414 sq ft
Subtotal	4,220 sq ft	4,220 sq ft	2,003 sq ft
Garage Area	285 sq ft	285 sq ft	285 sq ft
Garage Area	670 sq ft	670 sq ft	670 sq ft

GENERAL CONDITIONS
Owner and architect shall be jointly and severally responsible for obtaining all necessary permits and approvals from the appropriate authorities. The architect shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The architect shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

PROJECT NORTH

DATE 2015-02-24 **ISSUED FOR** CLIENT REVIEW

2015-02-24 CLIENT REVIEW

2015-02-24 DESIGN DEVELOPMENT

2015-02-24 DESIGN DEVELOPMENT

2015-02-24 DEVELOPMENT PERMIT

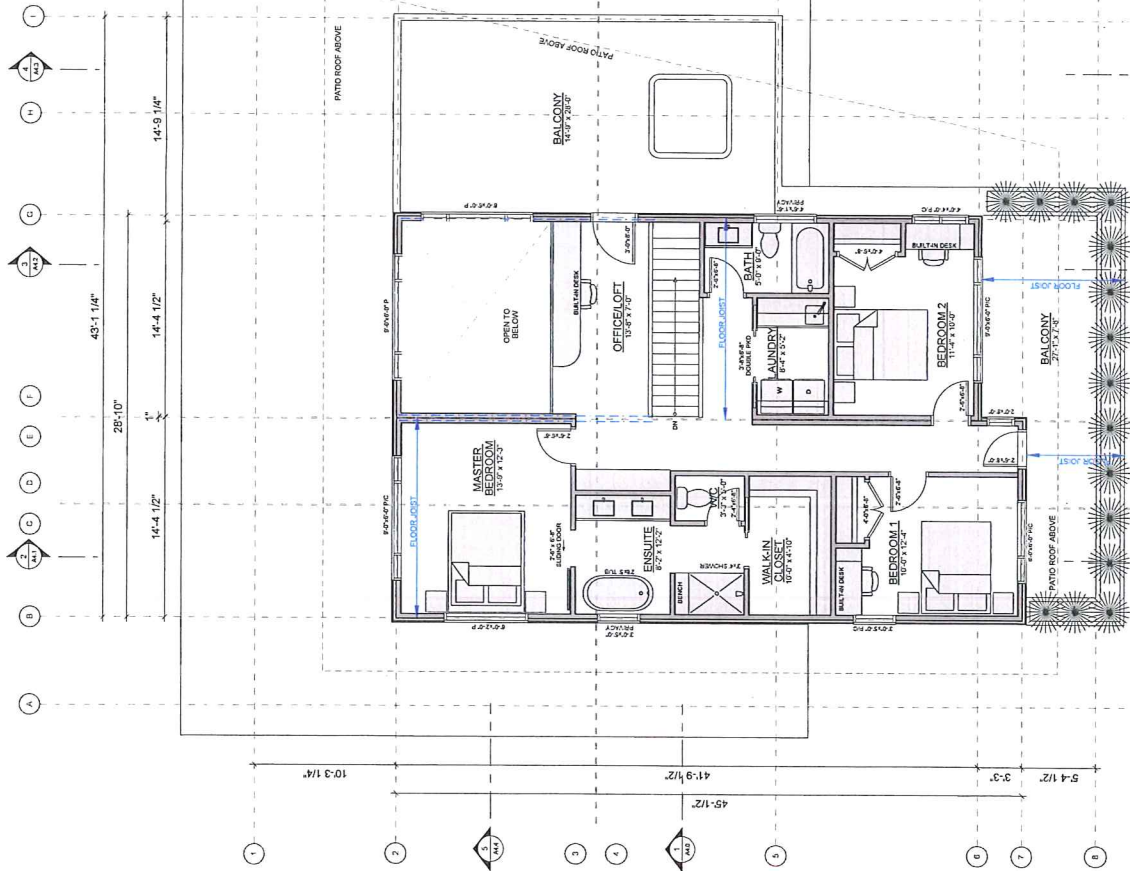
2015-02-24 DEVELOPMENT PERMIT

PROJECT TITLE #1008

Pushor-Kyle
Modular Home
265 Poplar Point Drive
Abbotsford, BC

SHEET TITLE

SCHEDULE A
 This forms part of development
 Permit # **00P15-0A27**



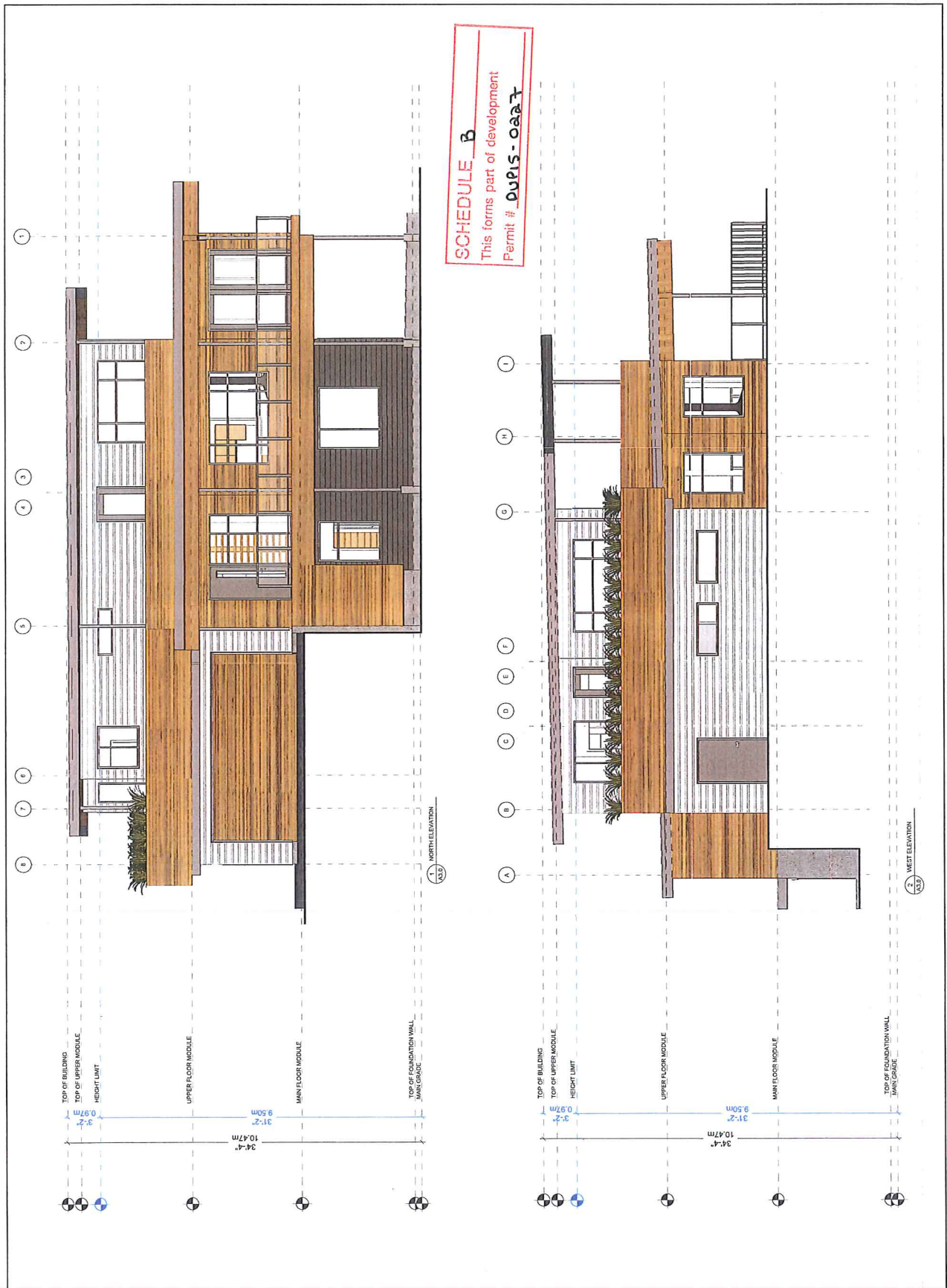
GENERAL CONDITIONS	
Owner and user shall provide all necessary permits and approvals for this development. The developer shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The developer shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The developer shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.	
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SITE NORTH	PROJECT NORTH
DATE	ISSUED FOR
2011-07-28	CURT REVIEW
2011-08-18	DESIGN DEVELOPMENT
2011-09-18	DESIGN DEVELOPMENT
2011-09-18	DESIGN DEVELOPMENT
2011-09-18	DESIGN DEVELOPMENT
PROJECT TITLE	
Pushor-Kyle Modular Home	
101st Avenue, Point Dume Abbotsford, BC	
SHEET TITLE	
#1508	

FLOOR AREA SUMMARY		NET	GROSS	BALCONIES
Lower Floor		1,386 sq	1,386 sq	648 sq
Upper Floor		1,111 sq	1,111 sq	640 sq
TOTAL		2,497 sq	2,497 sq	1,288 sq
Suite Area		785 sq		
House Area		2,132 sq		
Garage Area		670 sq		

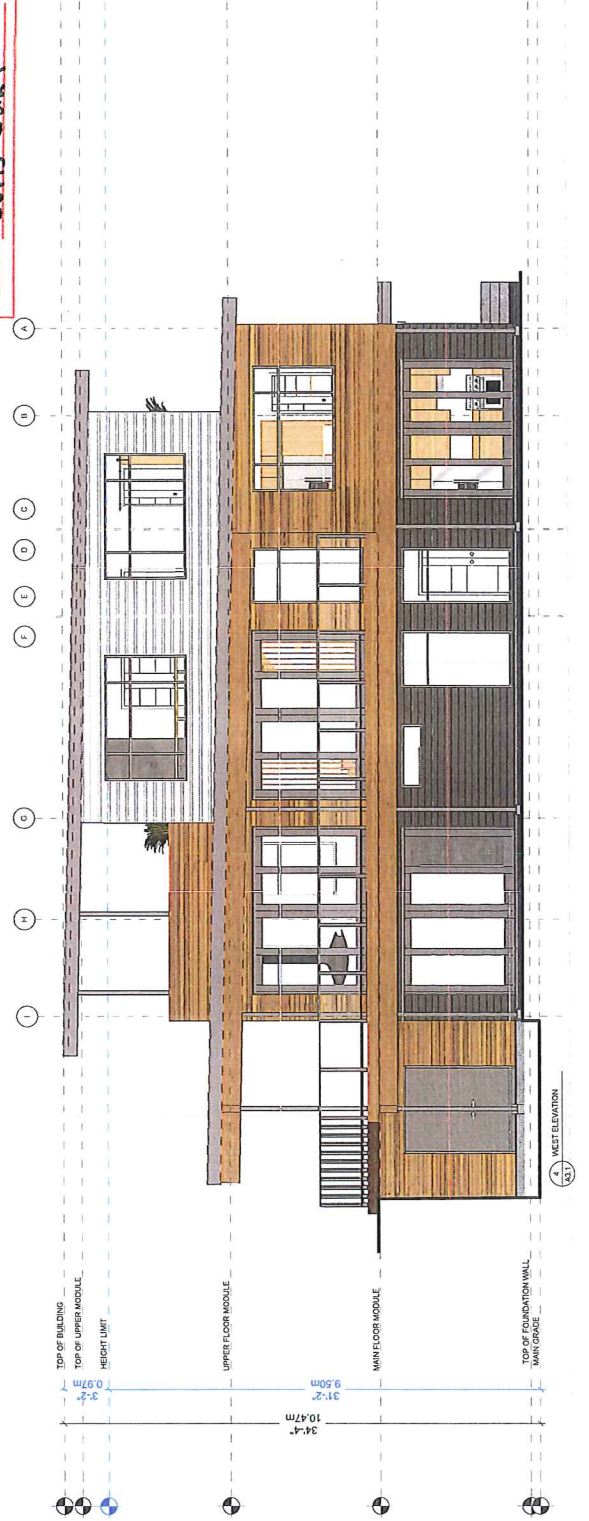
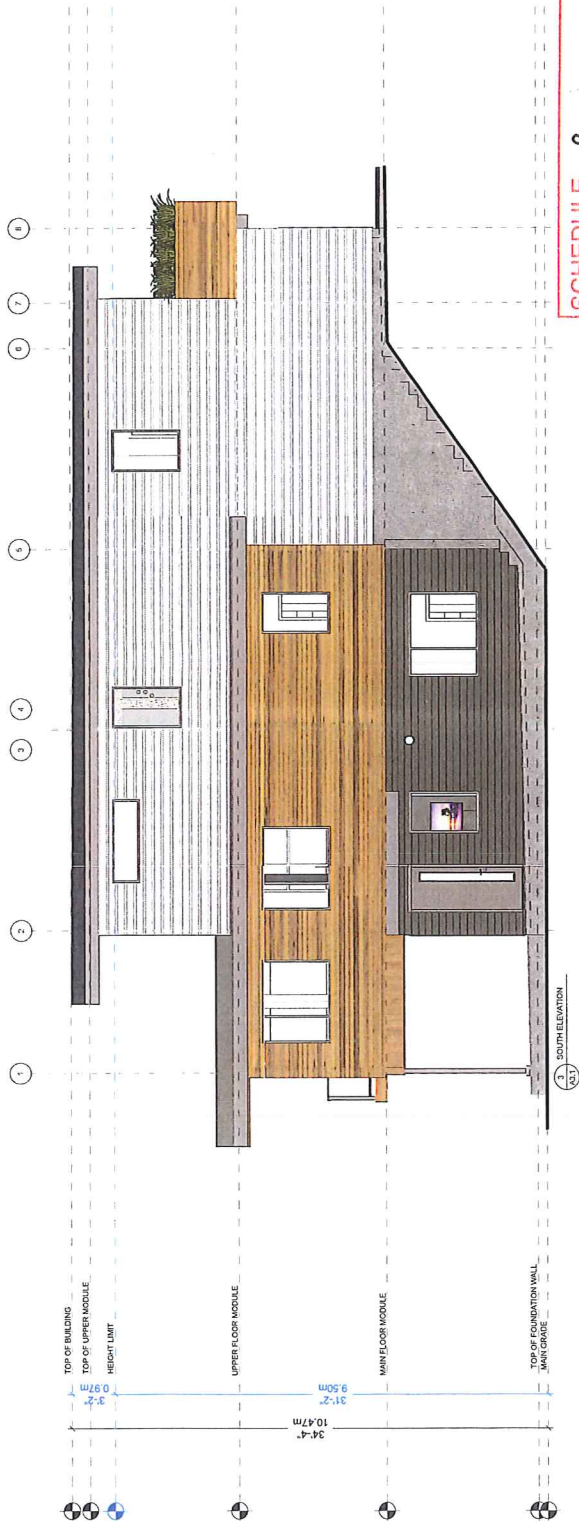
Upper Floor Plan
 SCALE: 1/4" = 1'-0"
 DRAWING NUMBER

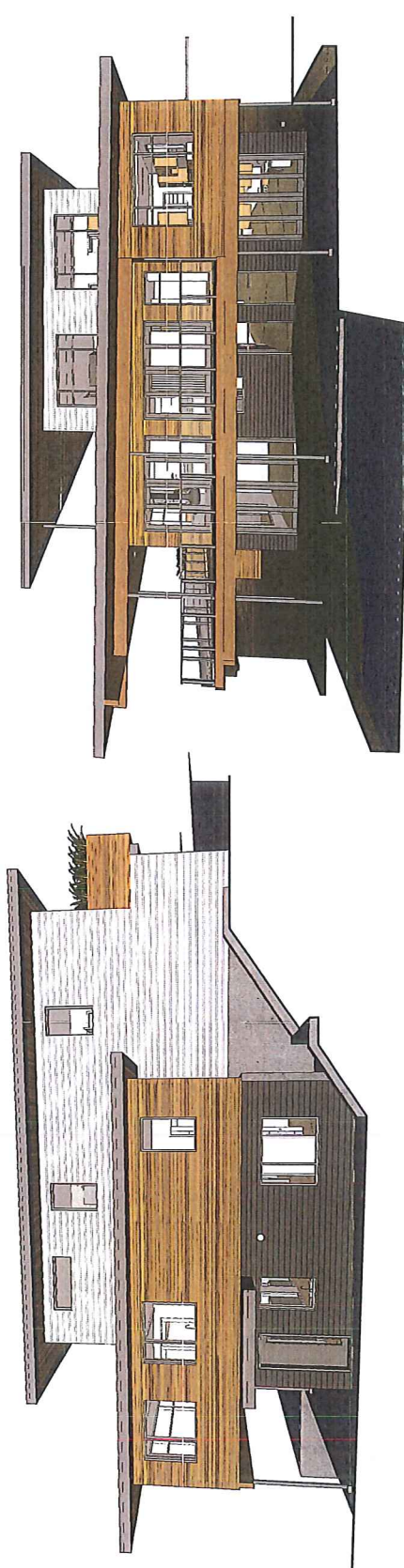
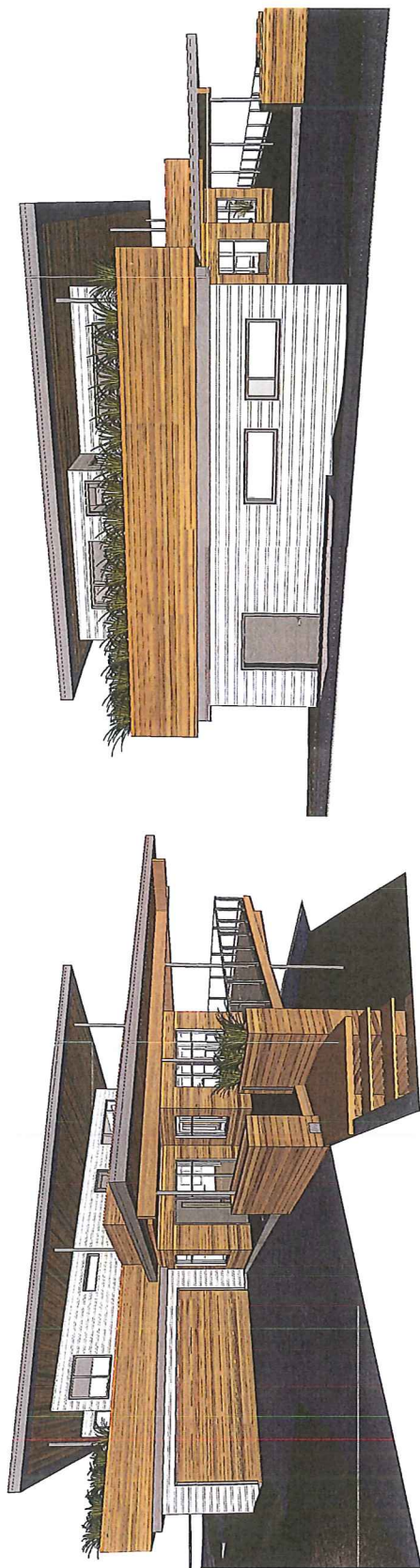
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SITE NORTH PROJECT NORTH	
DATE	ISSUED FOR
2015-02-18	CLIENT REVIEW
2015-08-19	DESIGN DEVELOPMENT
2015-09-04	DESIGN DEVELOPMENT
2015-09-04	DESIGN DEVELOPMENT
2015-09-10	DEVELOPMENT PERMIT
PROJECT TITLE	
#1108	
Pushor-Kyle	
Modular Home	
1000 West Point Drive	
Kamloops, BC	
SHEET TITLE	

Elevations	
SCALE	1/4" = 1'-0"
DRAWING NUMBER	



GENERAL CONDITIONS	
Client and user to provide all data for development. Design is based on information provided. Design is not to be used for construction without the approval of the client. Design is not to be used for construction without the approval of the client. Design is not to be used for construction without the approval of the client.	
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SITE NORTH PROJECT NORTH	
DATE	ISSUED FOR
2013-07-25	CLIENT REVIEW
2013-08-16	DESIGN DEVELOPMENT
2013-09-04	DESIGN DEVELOPMENT
2013-09-04	DESIGN DEVELOPMENT
2013-09-10	DEVELOPMENT PERMIT
PROJECT TITLE	
#1508	
Pushor-Kyle Modular Home 245 Pender Road Kelowna, BC SHEET TITLE	
Elevations	
SCALE	1/4" = 1'-0"
DRAWING NUMBER	





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SITE NORTH

PROJECT NORTH

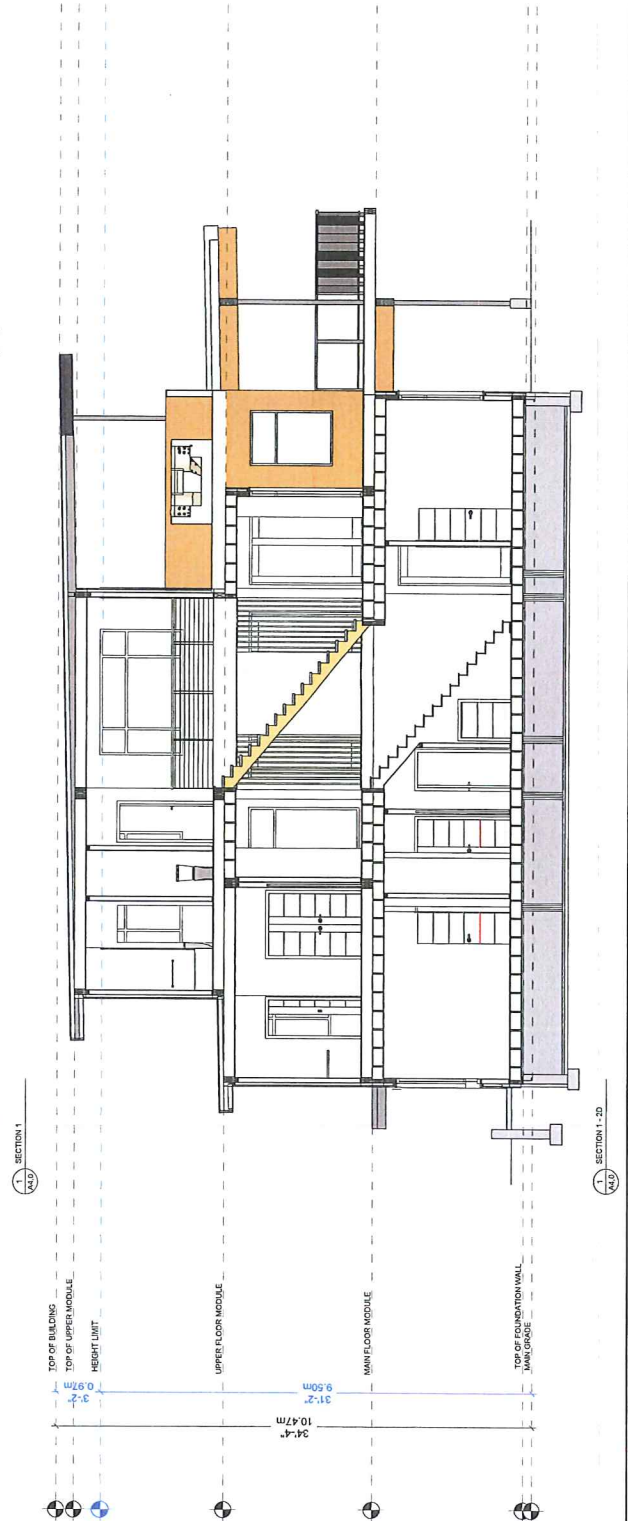
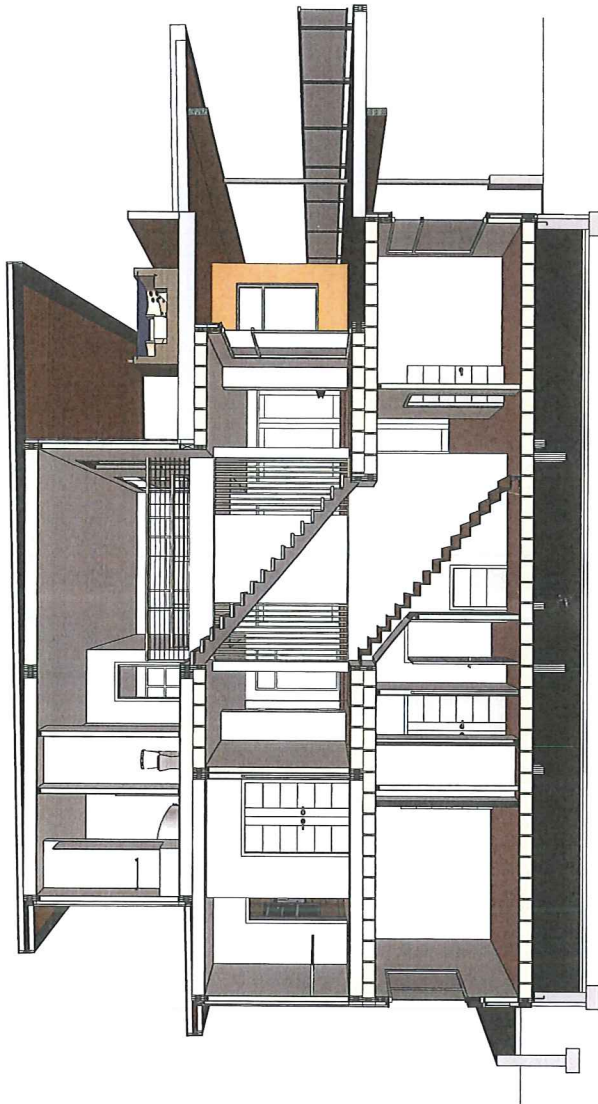
DATE	ISSUED FOR
2015-07-28	CLIENT REVIEW
2015-08-04	CLIENT REVIEW
2015-08-20	DESIGN DEVELOPMENT
2015-09-04	DESIGN DEVELOPMENT
2015-09-10	DEVELOPMENT PERMIT

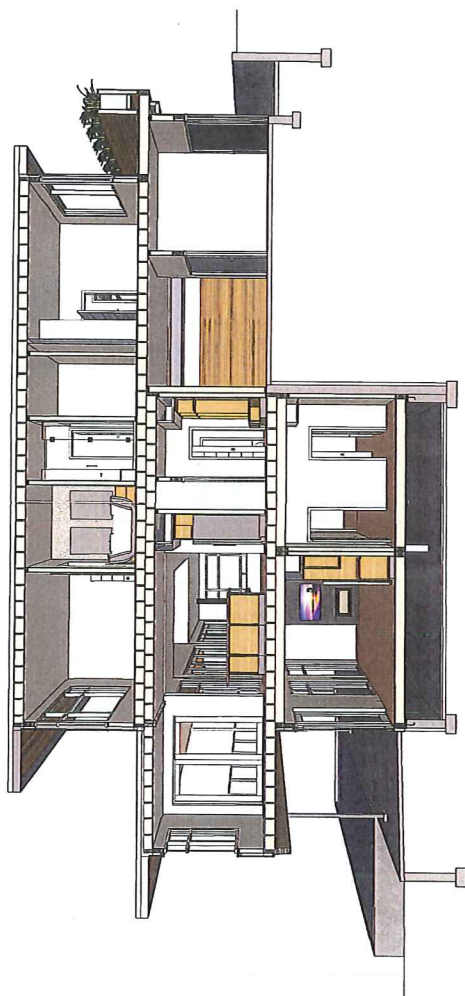
PROJECT TITLE #1508

Pushor-Kye
 Modular Home
 1000 West Main Street
 Kelowna, BC

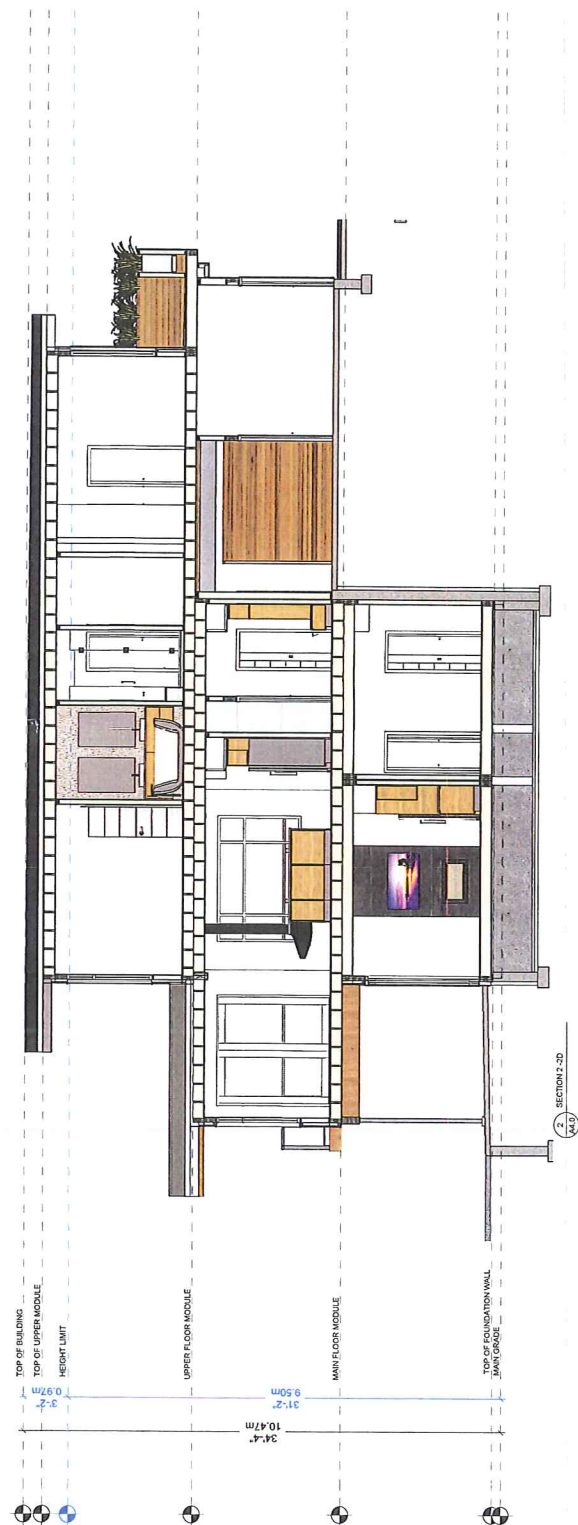
SHEET TITLE

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





SECTION 2-1
 1/4" = 1'-0"

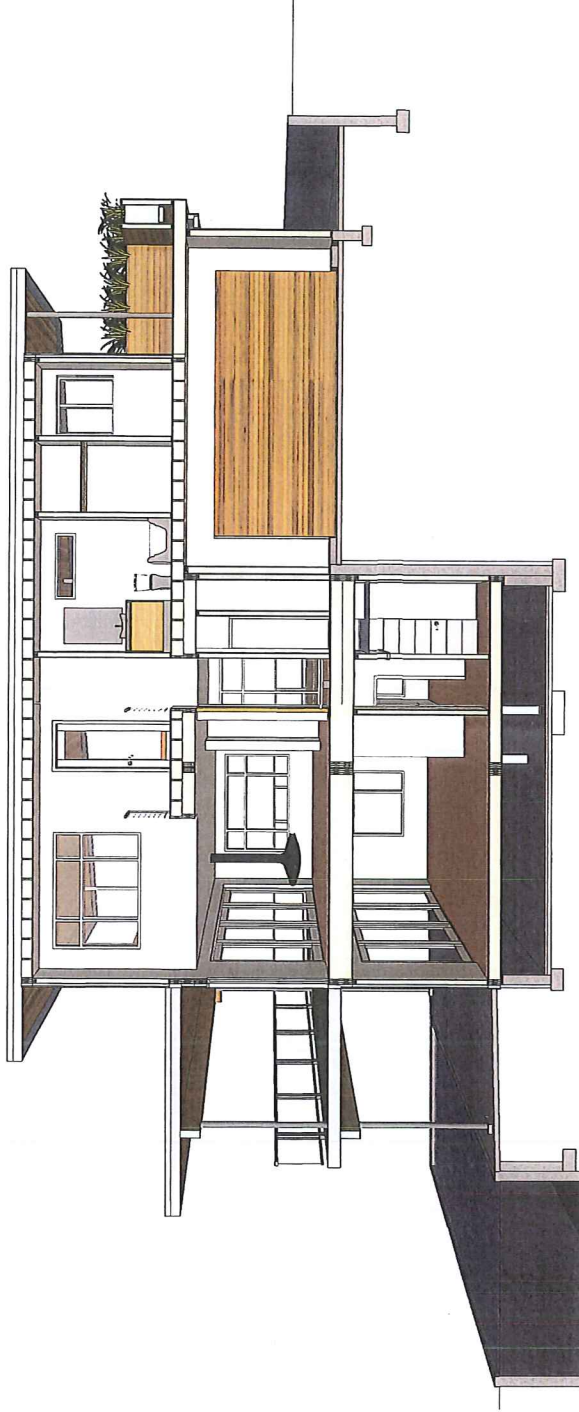


SECTION 2-2
 1/4" = 1'-0"

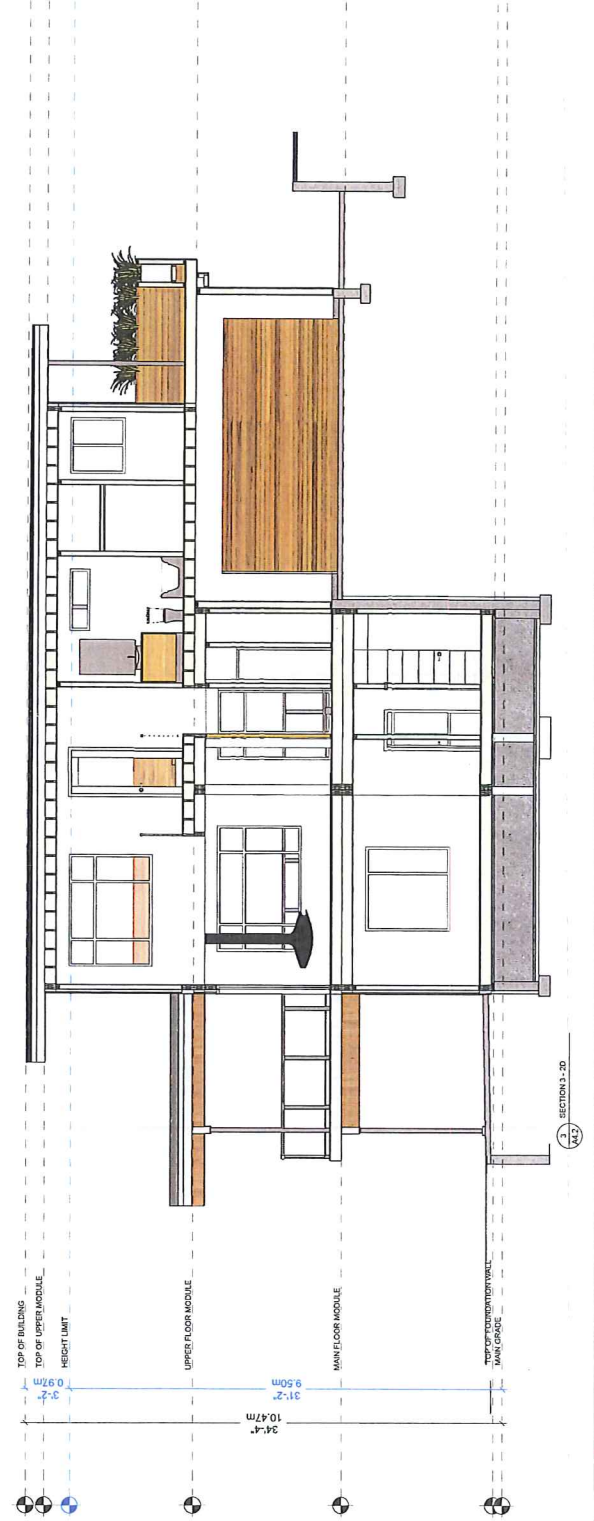
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SITE NORTH PROJECT NORTH	
DATE	ISSUED FOR
2018-07-28	CLIENT REVIEW
2018-08-15	DESIGN DEVELOPMENT
2018-08-18	DESIGN DEVELOPMENT
2018-09-05	DESIGN DEVELOPMENT
2018-09-10	DESIGN DEVELOPMENT
2018-09-10	DESIGN DEVELOPMENT
PROJECT TITLE	
#1008	
Pushor-Kyle Modular Home	
155 Paper Point Drive	
Bremerton, WA	
SHEET TITLE	
Building Sections	
SCALE	
DRAWING NUMBER	

BSD

Brett Sichel Design
285 Pender Park Drive
Kaslo, BC, V1Y 6L2
250.889.7985
info@brettsicheldesign.com



SECTION 3
A4.3



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SITE NORTH PROJECT NORTH

DATE ISSUED FOR

2015-07-28 CLIENT REVIEW

2015-08-10 DESIGN DEVELOPMENT

2015-08-18 DESIGN DEVELOPMENT

2015-09-01 DESIGN DEVELOPMENT

2015-09-10 DESIGN DEVELOPMENT

2015-09-10 DESIGN DEVELOPMENT

PROJECT TITLE #1508

Pushkar-Kyle

Modular Home

285 Pender Park Drive

KASLO, BC

SHEET TITLE

Building Sections

SCALE 1/16"

DRAWING NUMBER

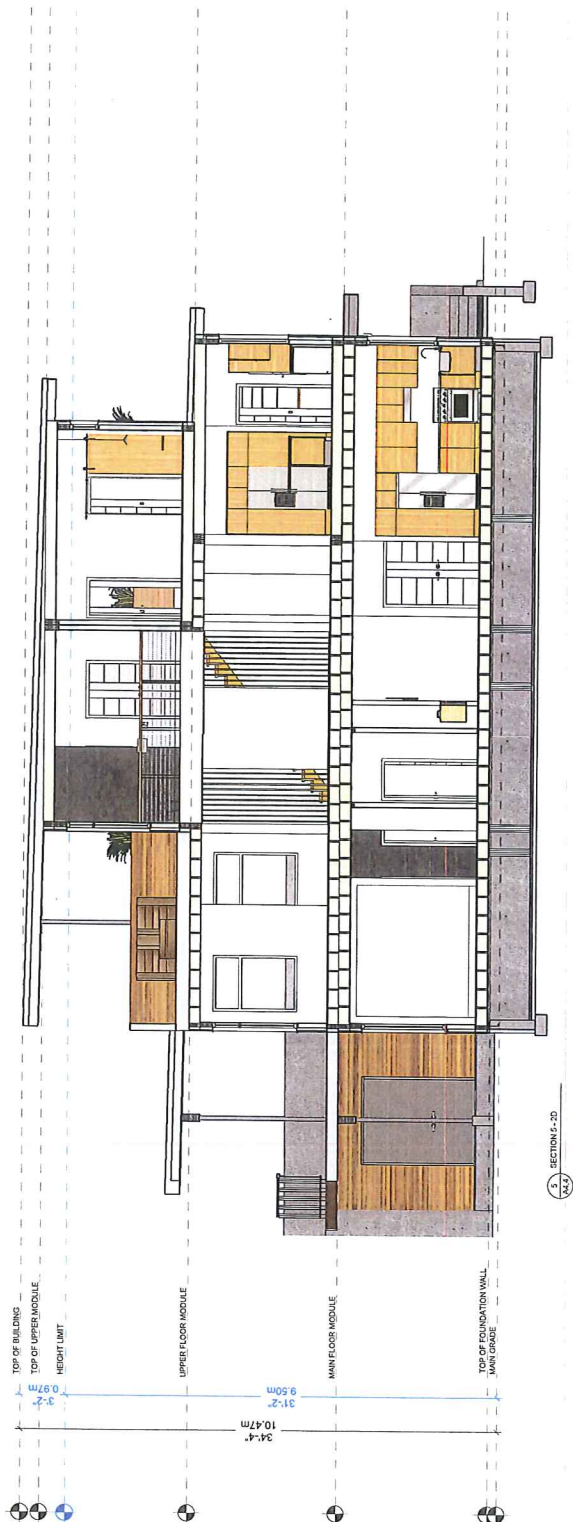
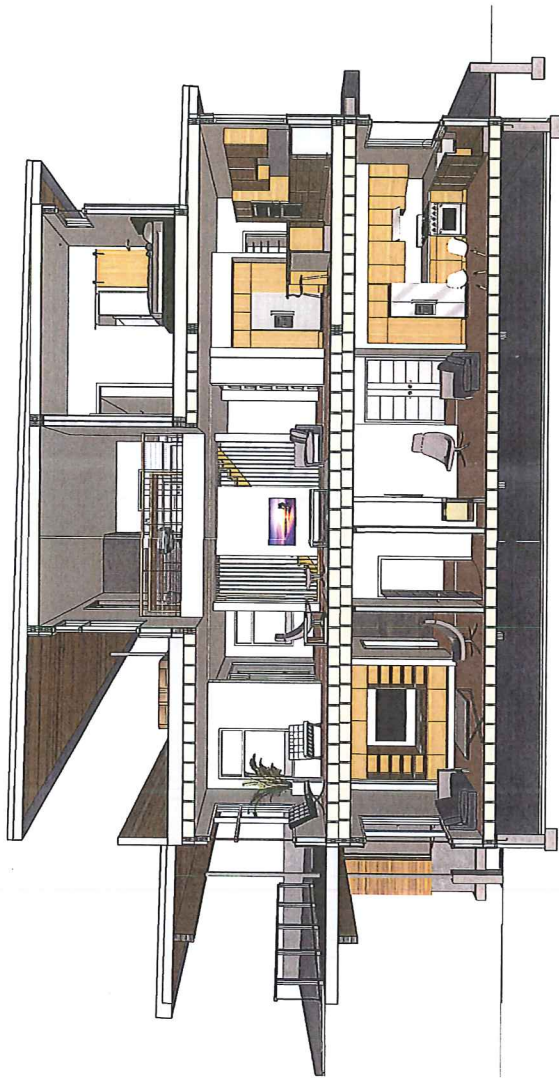
A4.1



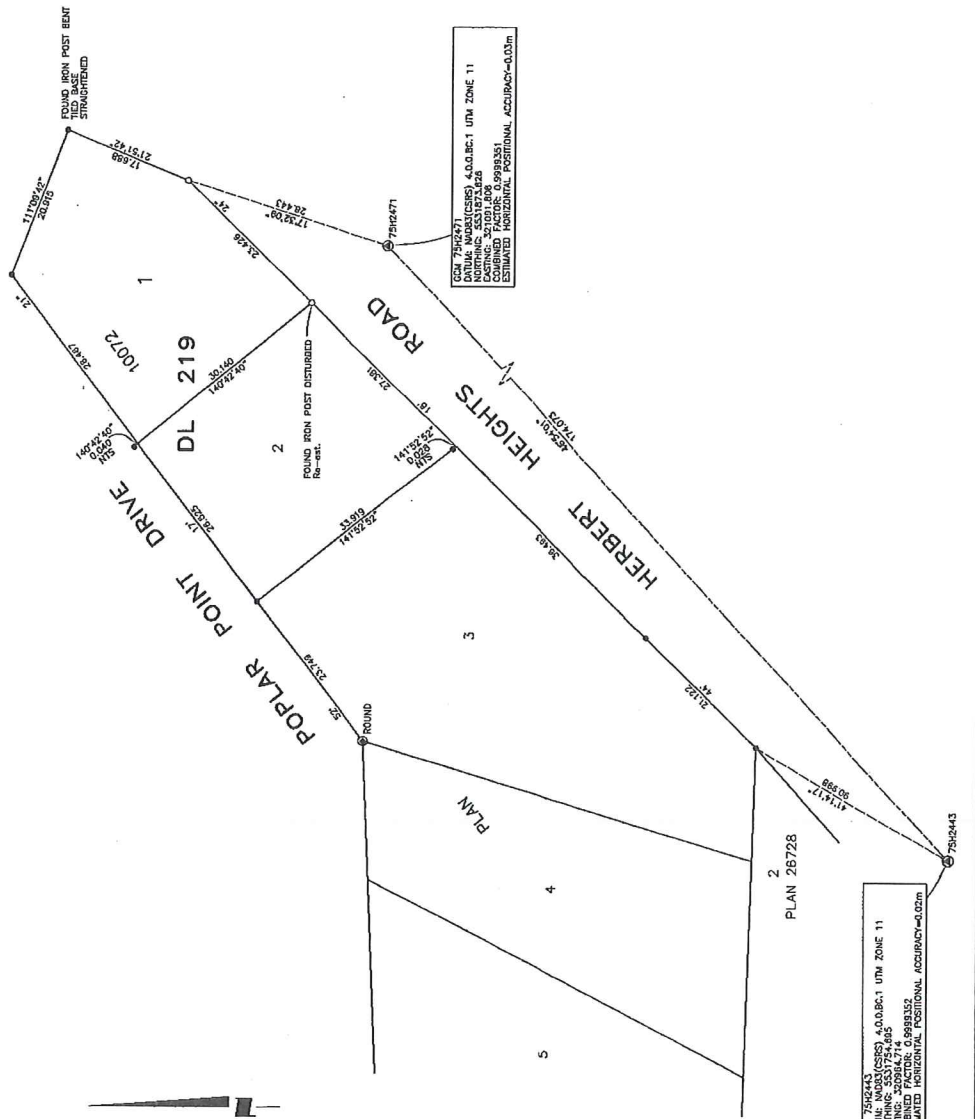
ushor-Kyte
odular Home
5 Poplar Point Drive
town, BC
HEET TITLE

Building Sections

A4.3



POSTING PLAN OF LOT 1 DISTRICT LOT 219
 ODYD PLAN 10072
 PURSUANT TO SECTION 68 OF THE LAND TITLE ACT
 BCGS 82E093



LEGEND

INTEGRATED SURVEY AREA NO. 4, CITY OF KELLOWA, M4083 (CSRS)
 GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC CONTROL MONUMENTS 75H2471 AND 75H2443.
 THE UTM COORDINATES AND ESTIMATED HORIZONTAL POSITIONS OF THE MONUMENTS WERE DERIVED FROM THE MAGNET PUBLISHED COORDINATES AND STANDARD DEVIATIONS OF THE MONUMENTS 75H2471 AND 75H2443.
 THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES UNLESS OTHERWISE SPECIFIED, TO COMPUTE BEARINGS. THE DISTANCES ARE DERIVED FROM THE MEASUREMENTS OF THE GROUND-LEVEL DISTANCES BY THE AVERAGE OF TWO MEASUREMENTS. THE MONUMENTS 75H2471 AND 75H2443.
 DENOTES CONTROL MONUMENT FOUND
 DENOTES STANDARD IRON POST FOUND
 DENOTES NON-STANDARD IRON POST FOUND
 NTS DENOTES NOT TO SCALE
 THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF CENTRAL OKANAGAN.

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED IN THE MONTH OF APRIL, 2015
 COLIN M. FERGUSON, B.S. 858

Ferguson Land Surveying & Geomatics Ltd.
 B.C. AND CANADA LAND SURVEYORS
 404-1600 PANDOSY STREET, KELLOWA, B.C.
 TELEPHONE (250) 762-3115 FAX (250) 762-0321

JOB No 20187-POSTING

2015/04/16 Page 13, 300mm x 432mm (6 Size) - 1:400 Scale